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	PETITION FOR A WRIT OF HABEAS CORPUS BY A PERSON IN STAFF GUSTODY
1	PETITION FOR A WRIT OF HABEAS CORPUS BY A PERSON IN STAFF CUSTODY
2	Name BURRELL ANGEE (Last) RICHARD W. WIEKING V. NORTHERN D.S. DISTRICT
3	Name SURRELL ANGEE (Last) (First) (Initial) NORTHERN DISTRICT COUNTY Prisoner Number 48872
4	Institutional Address P.O. Box 1050 Soledad, Calif. 93960
5	Institutional Address P.O.BOX 1050 SOLEDAD, CALIF. 93960 SALIWAS VAILEY STATE PRISON
6	
7	UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA
8	ANGEE BURRELL
9	(Enter the full name of plaintiff in this action.) CV 08 0846
10	VS.) Case No (To be provided by the clerk of court)
11	M.S. EVA & S. WARDEN, eTal., PETITION FOR A WRITE OF HABEAS CORPUS
12	OF HABEAS CORPUS
13	E-filing (PR)
14	(Enter the full name of respondent(s) or jailor in this action)
15	
16	Read Comments Carefully Before Filling In

Read Comments Carefully Before Filling In

When and Where to File

You should file in the Northern District if you were convicted and sentenced in one of these counties: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, Santa Clara, Santa Cruz, San Francisco, San Mateo and Sonoma. You should also file in this district if you are challenging the manner in which your sentence is being executed, such as loss of good time credits, and you are confined in one of these counties. Habeas L.R. 2254-3(a).

If you are challenging your conviction or sentence and you were not convicted and sentenced in one of the above-named fifteen counties, your petition will likely be transferred to the United States District Court for the district in which the state court that convicted and sentenced you is located. If you are challenging the execution of your sentence and you are not in prison in one of these counties, your petition will likely be transferred to the district court for the district that includes the institution where you are confined. Habeas L.R. 2254-3(b).

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Who to Name as Respondent

You must name the person in whose actual custody you are. This usually means the Warden or jailor. Do not name the State of California, a city, a county or the superior court of the county in which you are imprisoned or by whom you were convicted and sentenced. These are not proper respondents.

If you are not presently in custody pursuant to the state judgment against which you seek relief but may be subject to such custody in the future (e.g., detainers), you must name the person in whose custody you are now <u>and</u> the Attorney General of the state in which the judgment you seek to attack was entered.

A. INFORMATION ABOUT YOUR CONVICTION AND SENTENCE

- 1. What sentence are you challenging in this petition? PRISON DISCIPLINE
 - (a) Name and location of court that imposed sentence (for example; Alameda County Superior Court, Oakland):

Court Location

(b) Case number, if known HC5769

- (a) Data and towns of contance
- (c) Date and terms of sentence _____
- (d) Are you now in custody serving this term? (Custody means being in jail, on parole or probation, etc.)

 Yes _____ No ____

 Where?

Name of Institution: <u>SALINAS VAILEY STATE PRISON</u>
Address: <u>P.O.Box 1050 Soledad</u>, <u>CA. 93960</u>

2. For what crime were you given this sentence? (If your petition challenges a sentence for more than one crime, list each crime separately using Penal Code numbers if known. If you are challenging more than one sentence, you should file a different petition for each sentence.)

PET. FOR WRIT OF HAB. CORPUS

1	3. Did you have any of the following?		
2	Arraignment: Yes No		
3	Arraignment: Preliminary Hearing: Yes No Yes No Motion to Suppress:		
4	Motion to Suppress: Yes No		
5	4. How did you plead?		
6	Guilty Not Guilty Nolo Contendere		
7	Any other plea (specify)		
8	5. If you went to trial, what kind of trial did you have?		
9	Jury Judge alone Judge alone on a transcript		
10	6. Did you testify at your trial? Yes No		
11	7. Did you have an attorney at the following proceedings:		
12	(a) Arraignment Yes No		
13	(b) Preliminary hearing Yes No		
14	(c) Time of plea Yes No		
15	(d) Trial Yes No		
16	(e) Sentencing Yes No		
17	(f) Appeal Yes No		
18	(g) Other post-conviction proceeding Yes No		
19	8. Did you appeal your conviction? Yes No		
20	(a) If you did, to what court(s) did you appeal?		
21	Court of Appeal Yes No		
22	Year: 2007 Result: DENIED		
23	Supreme Court of California Yes No		
24	Year: 2007 Result: DENIED		
25	Any other court Superior Yes Ves No		
26	Year: 2007 Result: DENTED		
27			
28	(b) If you appealed, were the grounds the same as those that you are raising in this		
	PET. FOR WRIT OF HAB. CORPUS - 3 -		

1		petition?		Yes	No
2	(c)	Was there an opinion?		Yes	No
3	(d)	Did you seek permission	to file a late ap	peal under Ru	ule 31(a)?
4			•	Yes	No
5		If you did, give the name	of the court and	the result:	
6					
7		-			
8	9. Other than appeals	, have you previously filed a	any petitions, ap	plications or	motions with respect to
9	this conviction in any	court, state or federal?	Ŋ	es <u> </u>	No
10	[Note: If you	previously filed a petition for	or a writ of habe	eas corpus in	federal court that
11	challenged the same co	onviction you are challengin	g now and if tha	at petition was	s denied or dismissed
12	with prejudice, you mu	ust first file a motion in the U	United States Co	ourt of Appea	ls for the Ninth Circuit
13	for an order authorizin	g the district court to consid	ler this petition.	You may no	t file a second or
14	subsequent federal hab	eas petition without first ob	taining such an	order from th	e Ninth Circuit. 28
15	U.S.C. §§ 2244(b).]				
16	(a) If you	sought relief in any proceed	ling other than a	n appeal, ansv	wer the following
17	questic	ons for each proceeding. A	ttach extra pape	er if you need	more space.
18	I.	Name of Court: <u>CALIF</u>			
19		Type of Proceeding:	TITION.	FOR REV	liew
20		Grounds raised (Be brief b	out specific):		
21		a. DENIAL OF A FA	AIR AND	IMPARTIL	al Disciplinary-
22		b. DEPRIVATION OF	PROCEDURA	L Due F	hocess
23		C. DENIAL OF MEANIN	16Ful untr	npeded A	icess to Court.
24		d [LIABIL'TY TO EXHA			
25		Result: <u>りゃいにも</u>		Date of	Result: 11/28/2001
26	Il.	Name of Court: <u>C7.</u> o	F APPEAL	SixTH AM	PELLATE DISTRICT
27		Type of Proceeding:	PEAL		
28		Grounds raised (Be brief b	out specific):		

1	a	<u>′</u>
2	b. 11 SAME	<u>, </u>
3	c. SAME	,
4	d. SAME	
5	Result: <u>NENIEA</u> Date of Result: 8/10	97
6	III. Name of Court: MONTEREY Suferior COURT	
7	Type of Proceeding: PETITION FOR WRIT OF HAB, CORP	كما
8	Grounds raised (Be brief but specific):	
9	a. " SAME	<u>'</u>
10	b. " SAME	"
11		
12	d. " SAME	′
13	Result: <u>Seried</u> Date of Result: <u>8/10/</u>	<u>0</u> 7
14	IV. Name of Court:	
15	Type of Proceeding:	
16	Grounds raised (Be brief but specific):	
17	a	
18	b	
19	c	
20	d	
21	Result:Date of Result:	_
22	(b) Is any petition, appeal or other post-conviction proceeding now pending in any of	ourt?
23	Yes No	
24	Name and location of court:	_
25	B. GROUNDS FOR RELIEF	
26	State briefly every reason that you believe you are being confined unlawfully. Give facts	00
27	support each claim. For example, what legal right or privilege were you denied? What happened	1?
28	Who made the error? Avoid legal arguments with numerous case citations. Attach extra paper is	you
	PET. FOR WRIT OF HAB. CORPUS - 5 -	

need more space. Answer the same questions for each claim. 1 [Note: You must present ALL your claims in your first federal habeas petition. Subsequent 2 petitions may be dismissed without review on the merits. 28 U.S.C. §§ 2244(b); McCleskey v. Zant, 3 4 499 U.S. 467, 111 S. Ct. 1454, 113 L. Ed. 2d 517 (1991).1 Claim One: DENIAL OF A FAIR AND IMPARTIAL DISCIPLINARY 5 HEARING, (DEPRIVATION OF PROCEDURAL DUE PROCESS 6 Supporting Facts: EN 10/16/05, PETITIONER WAS CHARGED FOR 7 THE Specific ACT of CONSDIRACY TO INTRODUCE A CONTROLLED 8 SUBSTANCE INTO SALINAS VAILEY STATE PRISON, THESE CHARGES 9 WERE MOTIVATED BY UNITESTED FOR RELIABILITY CONT. 10 Claim Two: DENIAL OF MEANINGFUL UNIMPEDED ACCESS TO 11 INTERFERENCE IN EXHAUSTING Admin, LEMEDIES 12 Supporting Facts: ON 6/4/06, I WELE FOUND GUILTY OF A 13 discipLINARY INFRACTION SPECIFICALLY FOR CONSPIRACY TO 14 INTRODUCE CONTROLLED SUBSTANCE INTO SALINAS VALLEY STATE 15 PRISON (SUSP) RESULTING TO PETITIONER FILING 16 17 Claim Three: 18 19 Supporting Facts: 20 21 22 If any of these grounds was not previously presented to any other court, state briefly which 23 24 grounds were not presented and why: 25 26 27 28

PET. FOR WRIT OF HAB. CORPUS

GROUND I CONTIN

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CONFIDENTIAL SOURCES. ON 6/4/06 A discIPLINARY WAS CONDUCTED BY LT. SHOWALTER, RESULTING TO A GUILTY FINDING FOR CONSPIRING TO INTRODUCE A CONTROlled SUBSTANCE INTO SALINAS VALLEY STATE PRISON (SUSP), THE HEARING OFFICER CONDUCTED A PARTIAL HEARING AND FAILED TO DEMONSTRATE THROUGH THE RECORDS BEFORE HIM ANY EVIDENCE OF SPECIFIC FACT THAT PETITIONER AND HIS SPOUSE (VISITOR #2) OR (VISITOR #1) ENGAGED IN A MEETING OF THE MIND[S] TO INTRODUCE CONTROllED SUBSTANCES INTO SUSA. NO SPECIFIC DATE , TIME OR PLACE WAS PRESENTED TO ESTABLISH THAT PETITIONER CONSPIRED WITH ANYONE. NO LETTERS, NO PHONE RECORDINGS, NO AdmissionS, NO FIRSTHAND KNOWLEGGE, NO SPECIFIC CONVERSATIONS, NOTHING. EVERYTHING THE HEARING OFFICER BASED HIS decision on is THE FACT THAT VISITOR#1 AND VISITOR #2 WERE ARRESTED FOR BEING IN POSSESSION OF MARISUA-NA ENTERING SUSP'S VISITING PROCESSING AREA WHERE INMATES ARE NOT PERMITTED. BEING THAT THESE CHARGES AlleGE CONSPIRACY, EVIDENCE IN THE FORM OF CONCRETE FIRSTHAND KNOWLEDGE IS REQUIRED AND CORROSORATED TO SUPPORT THE CHARGED OFFENSE, PRISON OFFICIALS RELIED WAS THE USE OF CONFIDENTIAL SOURCES INFORMA-TION AND did NOT disclose ANY FIRSTHAND EVIDENTARY 26 STATEMBNIS FROM THE SOURCES AND FAILED TO INCORPOR-27 ATE ANY STATEMENTS BE BUIDBNCE IN THE dISPOSITION PORTION OF THE RULES VIOLATION REPORT (RVR) THAT THE

GROUND I" CONT ...

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HEARING OFFICER MADE A TRUTHFULNESS ASSESSMENT OF THE RELIABILITY OF EACH OF THE MULTIPLE SOURCES WHETHER THE CONFIDENTIAL INFORMATION WAS FIRSTHAND OR HEARSAY STATEMENTS AS REQUIRED BY AdmINISTRATIVE BUILETIN 92/15 ATTACHED HERETO AS EXHIBIT "B". BEING THAT PAISON OFFICIALS dISCLOSED SUCHA VAGUE STATEMENT ON THE PROVIDED INMATE COPY OF THE THREE C.S.C. 1030 CONFIDENTIAL DISCLOSURE FORMS, AND BECAUSE THE RECORD IS ABSENT ANY STATEMENTS OR EVICENCE TO SHOW THAT PETITIONER did ANYTHING CRIMINAL WARRANTING ANY CHARGES TO BE FILE AGAINST HIM ATALL. THE PRISON EVEN WENT SO FAR AS TO UNLAWFULLY ASSESS 180 days FORFEITURE OF CREDITS IN VIOLATION OF THEIR OWN PROCECURES WHICH INSURES THAT PETITIONER iS ENTITLED TO HAVE THE RVR HEARING WITHIN 30 days FROM THE DAY PETITIONER RECIEVED HIS COPIES OF THE RVR ON 9/29/06 AT 11:50 A.M. THE HEARING WAS CONDUCTED DN 10/29/06 AT 1855 HRS, THAT'S THE 31ST DAY BY THRS. AND 5 MINS. IT. BARBEE, THE HEARING OFFICERS THE REVIEW OF THE HEARING CONDUCTED BY CAPT. RANKIN AND THE CHIEF DISCIPLINARY OFFICER (CDD) All SHOULD HAVE ACKNOWLEDGED THAT THEY WERE BARRED FROM ASSESSING CREDITS AND FAILED TO CORRECT THE PROCED URAL VIOLATION. IN FACT, EVERY OFFICIAL WHO TOOK PART OF THE disciPLINARY PROCESS, SIGNED OFF ON THE REVIEW OF RUR LOG #506-09-0027R, APPROVING THAT I WERE RIGHTFULLY Found GUILTY OF CONSPIRACY TO INTR-

GREWNELL CONT. 1 duce A CONTROLLE OF SUBSTANCE INTO THE INSTITUTION 2 WITHOUT AN INKLING OF EVIDENCE AND UNLAWFULLY 3 SUBJECTED ME TO RANDOM DRUG TESTING ONCE AMONTH 4 FOR ONE YBAR, LOSS OF ONE YEAR OF NO VISITS PLUS, 5 TWO YEARS OF NON-CONTACT VISITS. THE ONLY WAY FOR THE COURT TO DETERMINE THAT THE CHARGES AND THE dISCIPLIMARY HEARING OFFICERS DECISION WAS NOT BASED ON SOME EVIDENCEI'S TO REVIEW THE CONFIDEN-TIAL ENFORMATION FOR EVIDENCE SPECIFYING AN APPROX. IMATE DATE, TIME AND PLACE THAT EITHER CONFIDENTIAL 11 Source PROVIDED FIRSTHAND INFORMATION OF WHAT CONVERSATION THEY HEARD PETITIONER AND VISITOR #1 13 14 OR VISITOR #2 HAVE WITH EACHOTHER EXPRESSLY WITH SPECIFICITY OF ENGAGING IN TALKS REGARDING, INTRO-15 duciNG CONTROLLED SUBSTANCES INTO THE PRISON. WITH-OUT THAT EVIDENCE, THERE CAN BE NO CONSPIRACY, THE 17 REST OF THE RECORD SPEAKS IN VOLUMB THAT, THERE IS 18 NO BUIDENCE TO SUPPORT THAT I SHOULD HAVE EVER 19 BEEN CHARGED. THERE WAS NO CONTACT BETWEEN 20 PETITIONER AND VISITORS #1 OR #2 ON THE day IN QUESTION PERIOD. THEREFORE, THE RVR AGAINST THE 22 PETITIONER WAS BASED SOLBLY ON WHAT TOOK PLACE 23 WITH PRISON OFFICIALS AND VISITORS #1 AND #2. PETITIONER SHOULD HAVE NEVER BEEN CHARGED. FOR PURPOSES OF PROCEDURAL QUE PROCESS VIOLATIONS WHICH 26 OCCURRED THROUGHOUT THE ENTIRE dISCIPLINARY PROCESS,

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PETITIONER HAS SHOWN THE NUMBROUS FLAWS AND

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 GROUND "1" CONT...

LACK OF EVIDENCE TO LAHOLD THE CHARGE, SEE EXHIBIT C". THE DISCIPLINARY FINDING OF GUILT MUST BE REVERSED SECAUSE PETITIONER DID NOT RECEIVE ANY INFORMATION ALLEGING CONSPIRACY CONTAINED IN THE CONFIDENTIAL REPORTS, AS REQUIRED BY CCR & 3321 WHICH REQUIRES THAT A PRISONER ABOUT WHOM CONFIDENTIAL INFORMATION HAS BEEN GATHERED, BE PROVIDED WITH NOTICE THAT THE INFORMATION INVOLVING EVIDENCE OF CONSPIRACY (AND NOT PERSONAL BELIEFS) ACTUALLY EXIST, AND BE TOLD "FAIS MUCH OF THE INFORMATION AS CAN BE DISCLOSED WITHOUT IDENTIFY YING THE CONFIDENTIAL SOURCE, IN THE INSTANT CASE, NO EVIDENCE TO SUPPORT THE CHARGE HAS BEEN PROVIDED.

THIS BLATANT SERIES OF PROCEDURAL DUE PROCESS
VIOLATIONS CREATED AN ATYPICAL AND SIGNIFICANT HARDSHIP ON PETITIONER FOR IT IS IMPOSSIBLE TO DEFEND
AGAINST CHARGES ESPECIALLY. WHEN FORCED TO DEFEND
AGAINST NO EVIDENCE IN THE RECORD THAT VERIFIES
PETITIONER SOING INVOLVED IN ANYTHING CRIMINAL.
THIS MATTER PROBABLY COULD HAVE BEEN RESOLVED
THROUGH THE PRISON'S APPENL SYSTEM HAD NOT ELOY
MEDINA! THE APPENLS COORDINATOR UNLAWFULLY
SCREENED OUT MY INMATE GRIEVANCE. SEE EXHIBIT
'C" PAGE 9 AT THE VERY BOTTOM, DESCRIBING THE
DATE AND TIME POTITIONER WERE GIVEN HIS COPY
OF THE FINAL DISPOSITION. I AM Allowed 15 days

Filed 02/07/2008 Case 3:08-cv-00846-JSW Page 11 of 101 GROUND I" concludes. TO APPEAL FROM 12/5/06, IN WHICH I did Timely File EXHIBIT "C" ON 12/13/06. THIS IS ONE OF MANY TACTICS USED BY ELOY MEDINA TO HEAD OFF INMATE APPEALS SEEKING RELIEF. (DELIBERATELY) PETITIONER HAS EXHAUSTED All STATE COURT REMEDIES.

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GROWN'S "2" CONT. AN INMATE GRIEVANCE (CDR 602) REGARDING THE PROCEDURAL QUE PROCESS VIOLATIONS CURING THE ENTIRE dISCIPLINARY HEARING AND PROCESS AS WELL AS THE GUILTY FINDING. SEE EXHIBIT A. INITIALLY UPON SUBMITTING MY COC 602, THE APPBALS COORDINATOR ELOYMEDINA, UNLAWFULLY SCREBLED OUT MY COC 602 ON 7/7/06 AND REQUESTED dOCUMENTS THAT WERE ALREADY ATTACHED TO THE GRIEVANCE, PETITIONER THEN RESUBMITTED THE COC 602 ON 7/19/06, AGAIN ELOY MEDINA SCREENES OUT MY GRIBUANCE ON 9/21/06. CLAIMING I AM APPEALING AN ACTION ALREADY TAKEN. THIS IS ANOTHER UNLAWFUL SCREEN OUT THAT IS NOT LISTE & UNDER MIB APPBAL REJECTION CRITERIA OF THE CALIF. LODE OF REGULATIONS, THIS WAS A TACTIC TO PREVENT MY AbilitieS TO PLASUE PROCEDURAL due PROCESS VIOLATIONS CLAING THE FIRST disCIPLINARY HEARING. AS NOTED, ELOY MEDINA'S NOTATION ON THE SECOND SCREEN OUT FORM INDICATES THAT HE WAS INVESTIGATING MY GRIEVANCE BEYOND PROTOCOLS detined under THE SCREEN-OUT RESECTION CRITERIA. JUST BECAUSE THE RVR LOG # SUSA-SO5-10-0013 WAS ORDERED REISCUED/REHEARD, COBS NOT BAR PETITIONER FROM BRING ABLE TO COMPLETELY EXHAUST AVAILABLE AdMINISTRATIVE REMEDIES OF EXHIBIT "A" REGARDING THE PROCEDURAL QUE PROCESS ISSUES QURING THE disciPlINARY HEARING. ELOY MEDINA NEAT MY COC 602 FROM GOING FORWARD WITHOUT LEGAL CAUSE

GROUNDS "2" CONT...

OR GROUNDS. CLEARLY MY ACTION REQUESTED INMY GRIEVANCE DATED 7/5/06 WAS NOT GRANTED NOR DOES THE NOTATION BY ELOY MEDINA SUPPORT MY ACTION REQUESTED. THEREFORE, NOTHING I'MS SEEN PROVIDED TO SUPPORT THAT I AM AMERICAGE AN ACTION ALREADY TAKEN,

ON SEAT. 24, 2006, I RESUMMITTED THE 1/5/06
EXHIBIT A' CAC 602 WITH A WRITTEN EXPLAINATION
WHY I DISAGREED WITH THE SECOND SCREEN OUT.
SEE REVERSE SIDE OF IMMATE SCREEN OUT FORM
DATED 9/21/06.

ON SEPT. 27, 2006, THE APPEALS COORDINATOR
ELOY MEDINA UNLAWFULLY SCREENED OUT MY
CDC 601 AGAIN. BUT FOR REASONS THAT BECAUSE
MY INITIAL RVR 115 WAS ORDERED REISSUED/REHEARD
THAT THE RVR 115 PETITIONER IS APPEALING REGARDING
THE PROCEDURAL DUE PROCESS ISSUES NO LONGER HAS
AN ADVERSE AFFECT WON ME WHICH IS UNTRUE
SINCE PRISON OFFICIALS SUCH AS THE HEARING OFFICER
DELIBERATELY STRAYED FROM THEIR OWN PROCEDURES
RESULTING TO A GUILTY FINDING WITHOUT AFFORDING
ME ENTITLED PROCEDURAL DUE PROCESS DURING THE RVR
DISCIPLIARRY HEARING.

THE APPEALS COORDINATOR'S REASONS FOR SCREEN
OUTS #1, #2 AND #3 WERE ALL SEYOND THE SCOPE
OF THE SCREENING PROCESS DEFINED IN THE CALIF.
Code of REGULATIONS AND DELIBERATELY HERT MY CAC

GROUNDS "#2" CONT ...

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602 FROM GOING FORWARD IN ORDER TO EXHAUST THE APPEALED ISSUE CONTAINED IN EXHIBIT A" SUCH AS THE HEARING OFFICER'S FAILURE TO MAKE AN ASSESS-MENT OF THE TRUTHFULNESS AND RELIABILITY OF THE CONFIDENTIAL SOURCES AND INSERT HIS DETERMINATION IN THE FINAL distositiON PORTION OF THE RVR ALONG WITH HIS FINDINGS. ALSO, THERE WAS NOTHING IN THE PROVIDED CAC 1030 CONFIDENTIAL dISCLOSURE FORMS THAT WAS ADEQUATE TO ESTABLISH EVIDBATS OF FIRST HAND KNOWLEDGE AND/OR SPECIFIC STATEMENTS MADE OR HEARD BEING SAID BETWEEN PETITIONER AND VISITORS #1 OR #2 THAT WOULD AFFIRM AN ACTUAL MEETING OF MINDS TO ESTABLISH CONSPIRACY. THESE RELEVANT ISSUBS AMONG THE MANY OTHER ISSUES CONTAINED IN THE 7/5/06 CAC 602. SEE AND REFER TO EXHIBIT B". THIS COC GOD IS VITAL TO ESTABLISH THE LACK OF "SOME EVIDENCE" TO ESTABLISH CONSPIRACY WHICH CLEARLY DEMONSTRATES THAT PETITIONER SHOULD'VE NEVER BEEN CHARGED PERIOD. CALIFORNIA LAW HAS LONG decided THAT ONCE A CONSTITUTIONAL VIOLATION ACCRUES AS A RESULT OF GOVERNMENT OFFICIALS ARBITRARY ACTS, NOTHING CAN CURB THB ACT BUT-FOR 42 US.C. \$ 1983. MEREFORE, dISALLOWING PETITIONER TO EXHAUST HIS CAC GOD CREATED AND ATYPICAL AND SIGNIFICANT HARDSHIA FOR THESE REASONS, PETITIONER'S ABILITIES TO TO EXHAUST HIS AUNILIBLE AdmINISTRATIVE REMEDIES HAUE BEEN IMPEDED WARRANTING THE COURT TO MAKE

iii.

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GROUNDS 2" CONT ...

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A DETERMINATION ON THE FACTS OF THE GRIEVED ISSUES IN ITS ENTIRETY.

EVENTUALLY, AVR LOG \$505-10-0013 dated 10/20/05 WAS REISSUED AND REHEARD NOW LOG #506-07-0027 R RESULTING TO A SECOND GUILTY FINDING ON 10/24/06 AT 1855 HRS. EXACTLY THOURS AND 5 MINUTES BEYOND THE (30) THIRTY DAYS REQUIRED TO CONDUCT A HEARING. THIS HEARING WAS CONDUCTED FOR FORMALITY SAKE AND A FEEDLE ATTEMPT TO CLEAN UP CONSTITUTION VIOLATIONS. AGAIN THE APPEALS COORDINATOR ELOY MEDINA HAVE IMPEDED MY ASILITY TO EXMAUST MY AVAILABLE ADMIN-ISTRATIVE REMEDIES ON THE GUILTY FINDING OF THE REISSUED AVR, FOR STATED ABASONS THAT I FAILED TO MEET THE 15 days TIME CONSTRAINTS. MY CAC 602 WAS dated AND SUBMITTED ON DEC. 13,2006 AND I HAD RECEIVED MY FINAL COPY OF THE DISCIPLINARY HEARING RVR FORM DEC. 5, 2006, THEREFORE, MY COC 602 WAS SUBMITTED (8) EIGHT DAYS FROM THE DATE I RECEIVED MY FINAL COPY OF THE DISPOSITION. THE APPEALS COORdINATOR HAS NOT PROVIDED ACCURATE PROOF THAT I FAILED TO MEET THE TIME CONSTRAINTS. MY ABILITY TO EXHAUST MY AVAILABLE AdminiSTRATIVE ABMEDIES AGAIN WERE UNLAWFULLY IMPEDED. SEE EXPLISIT"C' (C.D.C. 602 DATED DEC. 13, 2006).

THE SCREEN OUT FORM FROM ELOY MEDINA DATED

JAN. 23, 2007, STATING THAT MY FINAL COAY OF MY

RVR HEARING WAS ISSUED TO ME ON 7/3/06 IS SO

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GROUNDS "2" CONT... 1 2

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UNFOUNDED. IT IS INCONCEIVABLE FOR PETITIONER TO HAVE RECEIVED THE FINAL COPY OF THE dISPOSITION OF THE RVR HEARING ON 7/3/06 WHEN CLEARLY THE HEARING WAS CONDUCTED ON OCT. 29, 2006. THESE METHODS OF SCREENING OUT INMATE APPEALS UNLAW FULLY IS AN ON-GOING PRACTICE AT SALINAS VALLEY STATE PRISON AND THE WARDEN M.S. EVANS IS AWARE OF IT AND HAS ACQUIESE THE ACTS AND HAS TURNED A BLIND EYE ON THE MATTER. THE APPEALS COORDINATORS TO INCLUDE ELOY MEDINA ARE TAKING ADVANTAGE OF THE EXTRAORDINARILY HIGH ILLITERACY RATE OF PRISONERS AND ARE DELISERATELY CREATING BARRIERS AND FRUSTRATING THE APPEALS PROCESS. THESE FACTS PRESENTED ARE A PRIME BYAMALE OF HIS ACTS.

MERBFORE, WITH THIS EVIDENCE PROVING THAT MY 602 WAS UNLAWFULLY IMPEDED, I'M WITHOUT ANY FORM OF 17 RELIEF FROM MY GRIBVED ISSUES WHICH STILL NEEDS AddRESSING ON THE MERITS AS described in my Ground 1 WHICH IF THE COURT decides TO REVIEW THE RECORDS DENOVO OR IN CAMBRA, WHICH EVER IS PROPER, THEN THE COURT CAN DETERMINE THAT THE GROUNDS RAISED ARE ENTITLED TO RELIEF.

PETITIONER ALLEGES THAT THE INMATE APPEALS OFFICE HERE AT S.V.S.P., IS BEING UTILIZED BY PRISON OFFICIALS AS A LITIGATION POST TO SHIELD THEIRSELVES AND CERTAIN COLLEAGUES FROM FILINGS BY INMATES THROUGH UNLAWFUL SCREEN OUTS. MAKING IT IMPOSS-IBLE TO GRIEVE THROUGH A SYSTEM THAT IS SUPPOSE TO 1 GROUNDS 2" CONT ...

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BE A NEUTRAL FORUM FOR RECLASS OF GRIBVANCES, Guided BY THE CALIF. Code OF REGULATIONS TITLE IS.
INSTEAD, ELOY MEDINA AND THE OTHER APPEALS
COORDINATORS ARE DISREGARDING THE RULES IN SUPPORT OF THE BADGE AND SHIELDS HIS COLLEAGUES.

WHEREFORE, THE ONLY POSSIBLE RELIEF FROM THESE COC 602'S MUST COME FROM THE COURT RECOGNIZING THAT BLOCKING 602'S FROM GOING FORWARD IMPEDES ACCESS TO THE COURT.

ALL STATE COURT REMEDIES ARE EXHAUSTED
RELIEF REQUESTED:

1. THAT THE COURT CONDUCT AN IN CAMERA REVIEW OF THE CONTIDENTIAL INFORMATION TO DETERMINE WHETHER FIRST HAND INFORMATION WAS PROVIDED AND WAS SUBSTANTIAL ENOUGH TO BE USED AS FACTUAL EVIDENCE OF CONSPIRACY TO INTRODUCE A CONTROLLED SUBSTANCE INTO S.V.S.P.

2. AN EVIDENTARY HEARING.

3. REVERSE GUILTY FINDING AND RESTORE ALL CREDITS.

4. EXPUNGE RVR IN ITS ENTIRETY FROM RECORDS.

5. MAKE A CEELARATORY JUDGMENT ON ALL U.S. AND CALIFORNIA CONSTITUTIONAL RIGHTS INFRINGEMENTS AND/OR defainations.

6. THAT THE COURT GRANT THIS WRIT IN ITS ENTIRETY.

DATE: 2008

ANGER BURRELL IN PRO. PER.

1	List, by name and citation only, any cases that you think are close factually to yours so that they
2	are an example of the error you believe occurred in your case. Do not discuss the holding or reasoning
3	of these cases:
4	BRADLEY V. HALL, 64 F.Sd 1276 (9TH. CIR. 1997); Bounds V. SMITH
5	430 U.S. 817 (1977); VALANDING HAM V. BEJORQUEZ, 866 F.2d
6	1135 (9TH CIR. 1988) P.L.R.A. 42 U.S.C. 1997(0) (CONTINUE
7	Do you have an attorney for this petition? Yes No
8	If you do, give the name and address of your attorney:
9	
10	WHEREFORE, petitioner prays that the Court grant petitioner relief to which s/he may be entitled in
11	this proceeding. I verify under penalty of perjury that the foregoing is true and correct.
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13	Executed on Male 1 Swille
14	Date 2/3/08 Signature of Petitioner
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20	(Rev. 6/02)
21	

Filed 02/07/2008 Page 19 of 101 CASES CONTINUED).... U.S. CONSTITUTION FIRST AMENDMENT; SANDIN V. CONNER, 115 S.CT. 2293 (9TH. CIR.); WOLFF V. Mc DONNELL 94 S.CT. 2963 : SUPERINTENDENT Y. HILL (1985) - 472 U.S. 445-454; BURNSWORTH V. GUNDERSON. 179 F.3d 771-774 (9THEIR 1999); CALIF. Code OF REGULATIONS TITLE 15 & \$ 3321, 3084 PENAL CODE 2932(C)(1)(A)

Case 3:08-cv-00846-JSW

					FILED	
1			SUPERIOR COUR	T OF CALIFORNIA	AUG 1 0 2007	
2			COUNTY O	F MONTEREY	LISA M. GALDOS CLERK <u>OF</u> THE SURERIOR	COURT
3						UTY
4	In re			Case No.: HC 5769		
5		Angee Burrell	.)	ORDER (L	eceived	
6			On Habeas Corpus.	€	114/04	

On June 13, 2007, Petitioner filed a petition for writ of habeas corpus. On June 25, 2007, Petitioner filed a proof of service.

The background of the petition is as follows.

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Petitioner is currently incarcerated at Salinas Valley State Prison (SVSP).

On or about October 20, 2005, a Rules Violation Report was issued against Petitioner, for conspiracy to introduce a controlled substance. (RVR S05-10-0013.) On June 4, 2006, Petitioner was found guilty of conspiracy to introduce a controlled substance and was assessed a 180-day credit forfeiture. On or about July 5, 2006, Petitioner submitted an appeal, challenging the guilty finding. His appeal was screened out.

On September 21, 2006, the Chief Disciplinary Officer D. Travers ordered the Rules Violation Report (RVR S05-10-0013) to be reissued and reheard because the Senior Hearing Officer failed to assess reliability of confidential information.

On or about September 21, 2006, the Rules Violation Report was reissued against Petitioner, for conspiracy to introduce a controlled substance. (RVR S06-09-0027R.) On or about October 29, 2006, Petitioner was found guilty of conspiracy to introduce a controlled substance and was assessed a 180-day credit forfeiture. On or about December 13, 2006, Petitioner submitted an appeal, raising several issues. One of the issues Petitioner raised was the guilty finding of conspiracy to introduce a controlled substance. On or about December 20,

2006, Petitioner's appeal was screened out. Petitioner resubmitted his appeal. On or about January 23, 2007, Petitioner's appeal was rejected on the grounds that 1) time constraints were not met; and that 2) the appeal contained numerous and separate issues.

In the instant petition, Petitioner claims that he was improperly found guilty of conspiracy to introduce a controlled substance at the October 29, 2006 disciplinary hearing.

Petitioner claims that his disciplinary hearing was not timely held. California Code of Regulations, title 15, section 3320(b) provides that the charges shall be heard within 30 days from the date the inmate is provided a copy of the CDC Form 115. Here, Petitioner was provided a copy of the CDC Form 115 on September 29, 2006. His disciplinary hearing was held on October 29, 2006 (the 30th day). Petitioner appears to claim that the hearing was untimely held on October 29, 2006 at 18:55 p.m. because he was given a copy of the CDC Form 115 on September 29, 2006 at 11:50 a.m. Petitioner's claim fails because section 3320(b) speaks in terms of days, not hours.

Petitioner claims that the evidence was insufficient to support the guilty finding. This claim is not persuasive. A prison administrator's decision to revoke good time credits must be based on some evidence. Superintendent v. Hill (1985) 472 U.S. 445, 455. This standard is minimally stringent. The relevant question is whether there is any evidence in the record that could support the conclusion reached by the disciplinary board. Superintendent v. Hill, supra, 472 U.S. at p. 455. Here, there is some evidence supporting the Senior Hearing Officer's guilty finding.

The guilty finding was based on the confidential memos of September 30, 2005 and October 18, 2005, authored by Investigative Services Unit (ISU) Officer S. Henley and attested to by the three CDC1030 Forms. According to the CDC1030 Forms, sources stated that Petitioner had been conspiring with his wife to introduce a controlled substance into SVSP

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through a visit. One source stated that Petitioner and his ex-cellmate, Inmate Henderson, were bringing large quantities of narcotics into SVSP through visits.

The guilty finding was also based on the Rules Violation Report, authored by

Correctional Officer S. Henley. The information provided by the sources proved to be true. On

October 16, 2005, the ISU was conducting an investigation regarding the introduction of a

controlled substance into SVSP. On that day, Visiting Sergeant Knuckles contacted the ISU to
alert that Petitioner's wife (Visitor 1) had arrived at the Central Visiting Processing Center. The

ISU informed Visitor 1 that they had obtained a search warrant, and asked Visitor 1 to relinquish
her vehicle key. When the ISU searched Visitor 1's vehicle, they found items consistent with the
packaging of a controlled substance (baggies, tape, balloons and Vaseline), leading them to
believe that she was in possession of a controlled substance with the intention to introduce it into
the prison. Visitor 1 was transported to an outside hospital where four balloons were recovered
from her. The balloons contained marijuana. The ISU also found out that a visitor of Inmate
Henderson (Visitor 2) arrived at SVSP with Visitor 1 and that upon her arrival, Visitor 2 used the
restroom. The ISU conducted a search of the restroom and discovered a balloon containing
narcotics. During the interview with the ISU, Visitor 2 stated that she attempted to hide the
balloon in the paper toilet seat covers on the wall.

Petitioner claims that the use of confidential information did not comply with

Administrative Bulletin 92/15 (Use of Confidential Information in Disciplinary Hearings). His

claim is not persuasive. The Senior Hearing Officer found the information provided by the

sources to be reliable. All of the sources had previously provided confidential information which

had proven to be true. There was more than one source that independently provided the same

information. The sources incriminated themselves in criminal activities at the time of providing
the information. Part of the information provided by the sources had already proven to be true.

Petitioner appears to claim that some of the information required by the Administrative Bulletin

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92/15 is not found in the finding portion of the Rules Violation Report. The Administrative Bulletin 92/15 requires that certain information be contained in a confidential memorandum. incident report or finding portion of the CDC Form 115 with investigative information and appropriate documentation. The fact that some of the information required by the Administrative Bulletin 92/15 is not found in the finding portion of the CDC Form 115 does not mean that the required information is not contained in other documents such as confidential memos and incident report.

Petitioner's challenge to the guilty finding of October 29, 2006 also fails because Petitioner has failed to exhaust his administrative remedies. See *In re Muszalski* (1975) 52 Cal.App.3d 500, 508.

Petitioner's claim that his appeal dated July 5, 2006 was improperly screened out is moot. In his appeal dated July 5, 2006, Petitioner challenged the June 4, 2006 guilty finding of conspiracy to introduce a controlled substance. However, his Rules Violation Report was subsequently reissued and reheard on October 29, 2006. Thus, the issue Petitioner raised in his appeal became moot.

Petitioner claims that his appeal dated December 13, 2006 was improperly screened out. This claim is not persuasive. His appeal was screened out on two grounds. The Appeals Coordinator's claim that the submission of the appeal was untimely was not correct. Petitioner received the final copy of the Rules Violation Report on December 5, 2006, and timely submitted his appeal on or about December 13, 2006. However, his appeal was properly screened out on the basis that the appeal raised numerous and separate issues. In his appeal dated December 13, 2006, Petitioner challenged the October 29, 2006 guilty finding and also raised other issues such as misconduct by prison staff. After his appeal was screened out on January 23, 2007, Petitioner failed to follow the instructions on the Inmate Appeal Screening Form. The Inmate Appeal Screening Form states, "If you allege the above reason is inaccurate,

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then attach an explanation . . . Please return this form to the Appeals Coordinator with the necessary information attached." (See Inmate Appeal Screening Form dated January 23, 2007.) Petitioner fails to explain why he did not submit an explanation to the Appeals Coordinator if he believed that the screen-out was improper. See *People v. Duvall* (1995) 9 Cal.4th 464, 474.

Page 24 of 101

In light of the foregoing, the petition is denied.

IT IS SO ORDERED.

Hon. Gary E. Meyer

Edge of the Superior Court

CERTIFICATE OF MAILING

C.C.P. SEC. 1013a

I do hereby certify that I am not a party to the within stated cause and that on August 10, 2007 I deposited true and correct copies of the following document: ORDER in sealed envelopes with postage thereon fully prepaid, in the mail at Salinas, California, directed to each of the following named persons at their respective addresses as hereinafter set forth:

Angee Burreil T48872 Salinas Valley State Prison PO Box 1050 D7-231 Soledad, CA. 93960

Dated: <u>8/10/07</u>

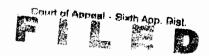
LISA M. GALDOS, Clerk of the Court

Filed 02/07/2008 Case 3:08-cv-00846-JSW Document 1 Page 26 of 101 ANGEE BURRELL T48872 07-231 P.O.BOX 1050 3 SoledAd, CALIF. 93960 SALINAS VAILEY STATE PRISON 6 IN PROPER. CALIFORNIA COURT OF APPEALS FOR THESIN DISTRICT 9 10) CASE #: HC 5769 IN RE: 11 CT. OF AAA. # ANGEE BURRELL 12 13 ON HASEAS CORPUS) NOTICE OF APPEAL 14 15 PETITIONER CONTENDS THAT THE SUPERIOR COURT ERRED IN ITS dENIAL WHEN IT FAILED TO CONDUCT AN 16 EVIDENTARY HEARING IN ORDER TO EXAMINE THE ENTIRE 17 RECORD TO PROPERLY MAKE ITS DETERMINATION BASED ON 18 FACTS INSTEAD OF SIMPLY MPHOLDING PRISON OFFICIALS 19 ARBITRARY FINDINGS, CLEARLY THE RECORD REFLECTS AN 20 ABUNDANCE OF ASSUMPTION, SPECULATION AND PRISON 21 OFFICIALS COMMON BELIEFS SURROUNDING THE CIRCUMSTANCES 22 OF THE EVENTS, BUT 1716 PETITION IF REVIEWED PROPER WOULD DEMONSTRATE MAT I HAVE A PRIMA FACIE CASE. PETITIONER PRAYS FOR RELIEF ON APPEALBY ITHIS COURT. 26 DATEd: 3/21/07 28 IN PRO. PER.



IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SIXTH APPELLATE DISTRICT



OCT 3 - 2007

MICHAEL J. YERLY, Clerk

In re ANGEE BURRELL,

on Habeas Corpus.

H032026

(Monterey County

Super. Ct. No. HC5769)

BY THE COURT:

The petition for writ of habeas corpus is denied.

(Bamattre-Manoukian, Acting P.J., Mihara, J., and McAdams, J., participated in this decision.)

Dated OCT 3 - 2007 BAMATTRE-MANOUKIAN, J. Acting P.J.

S157160

IN THE SUPREME COURT OF CALIFORNIA

En Banc	
In re ANGEE BURRELL on Habeas Corpus	
The petition for writ of habeas corpus is denied. (See <i>In re Dexter</i> (1979) 25 Cal.3d 921.)	
SUPREME COURT FILED	
NOV 2 8 2007	
Frederick K. Ohlrich Cle	rk
Deputy	

GEORGE Chief Justice

EXHIBIT A

	CDCR-695
NMATE: Burrell CDC#: T-488	72 CDC HOUSING: D7-216
•	HER REJECTED FOR ONE OR MORE REASONS NOTED BELOW OR
	FACH SUPPORTING DOCUMENTS.
TOUR AFFEAL IS BEING RETURNED	TO YOU FOR THE FOLLOWING REASON(S):
[] Duplicate Appeal; Same Issue	[1] imit of One Continuation Page May De Attacked
[] Do Not Combine Staff Complaints with Other Issues	[] Limit of One Continuation Page May Be Attached [] Inappropriate Statements
[] Time Constraints Not Met	
[] Cannot Submit On Behalf Of another Inmate	[] Action / Decision Not Taken By CDCR
	[] DRB Decisions Are Not Appealable
[] No Significant Adverse Effect Demonstrated	[] Appealing Action Not Yet Taken
[] Pointless Verbiage/Appeal is vague	[] May Submit One (1) Non-Emergency Appeal Per Week
€ Incomplete 602	[] Not A Request Form; Use CDCR-7362 – to access Medical
[] Attempting to Change Original Appeal Issue	Services, submit your request on a CDCR-Form 7362.
[] Not Authorized to Bypass Any Level	If necessary, sign up for sick call.
[] Request for Interview; Not an Appeal	[] Write your appeal in black or blue ink, this is a legal
[] Numerous and separate issues	document and pencil/inks other than black or blue do
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PLEASE FOLLOW INSTRUCTIONS AND <u>RETURN</u> Comments: You may write on back of this fo	
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loy Medina, CC-II	Date: 7/0/06
Appeals Coordinator	·

Document 1

INMATE / PAROLEE APPEAL SCREENING FORM

Filed 02/07/2008

Page 30 of 101

Department of Corrections and Rehabilitation

Case 3:08-cv-00846-JSW

State of California

This screening action may not be appealed. If you allege the above reason is inaccurate, then attach an explanation on a separate piece of paper, or use the back of this screen out – do not write any more on the appeal itself. Please return this form to the Appeals Coordinator with the necessary information attached.

INMATE / PAROLEE APPEAL SCREENING FORM

State of Catifornia

State of Cajifornia INMATE / PAROLEE APPEAL Se	CREENING FORM Department of Corrections and Rehabilitation , CDCR-695
INMATE: BurrellCDC #: T-48872	CDC HOUSING: D7-231
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YOUR APPEAL IS BEING RETURNED T	O YOU FOR THE FOLLOWING REASON(S):
[] Duplicate Appeal; Same Issue	[] Limit of One Continuation Page May Be Attached
[] Do Not Combine Staff Complaints with Other Issues	[] Inappropriate Statements
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[] Not Authorized to Bypass Any Level	If necessary, sign up for sick call.
[] Request for Interview; Not an Appeal	[] Write your appeal in black or blue ink, this is a legal
[] Numerous and separate issues	document and pencil/inks other than black or blue do
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Eloy Medina, CC-II	Date: 9/2/106
Appeals Coordinator	

This screening action may not be appealed. If you allege the above reason is inaccurate, then attach an explanation on a separate piece of paper, or use the back of this screen out - do not write any more on the appeal itself. Please return this form to the Appeals Coordinator with the necessary information attached.

Page 32 of 101	
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INMATE / PAROLEE APPEAL SCREENING FORM

Department of Corrections and Rehabilitation 95

	CDCR-69
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	THER REJECTED FOR ONE OR MORE REASONS NOTED BELOW OR
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[] Request for Interview; Not an Appeal	, [] Write your appeal in black or blue ink, this is a legal
[] Numerous and separate issues	document and pencil/inks other than black or blue do
	not copy legibly
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PLEASE FOLLOW INSTRUCTIONS AND RETUR	N YOUR CDC 602 WITHIN 15 WORKING DAYS
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	/ /
ay Madina, CC II	Date: 9/27/06
oy Medina, CC-II	Date

loy Medina, CC-II ppeals Coordinator

his screening action may not be appealed. If you allege the above reason is inaccurate, then attach an explanation in a separate piece of paper, or use the back of this screen out - do not write any more on the appeal itself. Please eturn this form to the Appeals Coordinator with the necessary information attached.

Document 1

Filed 02/07/2008

P2GD03/M12014 25

 OF	CAL	IECRNIA	

DEPARTMENT OF CORRECTIONS

INMATÉ	/PA	RO	LEE
APPEAL	FOF	١M	
CDC 602 (12/87)			

ard of Control form BC-1E, Inmete Claim

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly

for using the appeals procedure responsibly.	RVR	505	10-0013
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you are dissetisfied, explain below, attach supporting document to the Institution/Parole Region Appeals Coordinator	for processing within 15 days of re	lator's Report, Classification chroi ceipt of response.	10, CDC 128, atc.) and
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THIS IS NOT AN APPEAL RESPONSE – THIS APPEAL IS EITHER REJECTED FOR ONE OR MORE REASONS NOTED BELOW OR RETURNED TO YOU TO ATTACH SUPPORTING DOCUMENTS.

YOUR APPEAL IS BEING RETURNED TO YOU FOR THE FOLLOWING REASON(S):

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从Numerous and separate issues	document and pencil/inks other than black or blue do
	not copy legibly

PLEASE FOLLOW INSTRUCTIONS AND <u>RETURN YOUR CDC 602 WITHIN 15 WORKING DAYS</u>

Comments: You may write on back of this form to clarify or respond to the above.

Burrell- to appeal on RVR, you must submit on
Appeal win 15 days of receipt of final copy.
I RUR per Appeal. When submitting the Appeal -
Attach copies of all documents pertaining to prest
RVR noting due process/procedural violations.
to submit a staff complaint, note: who, what, where,
when, how i witnesses. Be specific, general recusations like "they conspired against me" is not enough. You need to state how, when witnesses, etc.
like "they conspired against me" is not enough. You
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even know who you Are, How could I conspire
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Eloy Medina, CC-II Date: 12/20/06
Appeals Coordinator RECO JAN 2 2 2007

This screening action may not be appealed. If you allege the above reason is inaccurate, then attach an explanation on a separate piece of paper, or use the back of this screen out — do not write any more on the appeal itself. Please return this form to the Appeals Coordinator with the necessary information attached.

Case 3:08-cv-00846-JSW Document 1 Filed 02/07/2008 Page 35 of 101 (continued THE C.D.C 1030 oce conteals DOKIDIRE J teller WAS SORIC aldel larting on Rolled 0501 MSS Near.re MARW, 613106 * WENTER ne 10 sola MON 16 nevel Dole MLAST.

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STATE OF CALIF	ORNIA IOLATION REPORT			D	7-21 DEPARTME	NT OF CORRECTIONS
CDC NUMBER	INMATE'S NAME		RELEASE/BOARD DATE	INST.	HOUSING NO.	LOG NO.

CCX 93016(a) INTRODUCE A CONTROLLED SUBST. VIS. PROCESS. 10-16-95 4 1030 TRS. CIRCUMSTANCES In October 16, 2005, the Salinas Valley State Prison (SVSP), Investigative Services Unit (ISU) was conducting an investigation regarding the introduction of a Controlled Substance into SVSP, this investigation was concluded on October 20, 2005. On October 16, 2005, at approximately 1030 hours, Sergeant C. Knuckles, Visiting Sergeant contacted he and informed me that an approved visitor of Innate Burrell T-48372, B5-216, had arrived at the Central Visition Processing Center and had signed a COC 1000, Visitors Pass. (Burrell's visitor will be referred to as Visitor #1 within this report) ISU then responded to the Central Visiting Processing Center, where I made the initial contact with Visitor #1. Due to numerous visitors in the visitors processing room, I asked Visitor #1 to step out of the visiting area, where I could talk with her privately. Upon exiting the visiting processing area I informed Visitor #1 that I was conducting an investigation and that I needed to speak with her. Visitor #1 was them escorted to the SVSP Administration Building, In Service Training (IST) class room. Visitor #1 was then advised that she was suspected of bringing a controlled substance into SVSP. Visitor #1 was informed that this was had obtained a search warrant and that the search warrant included her person, her personal belongings and any vehicle she arrived in. Visitor #1 then asked to relinquish her vehicle key, at which time she did. Visitor #1 also indicated that she

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REPORTING EMPLOYEE	(Typed Name and Signature)				DATE		ASSIGNMENT		RDO'	s	
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HEARING Pleas OF GUL	A COMPANY					** · · · · · · · · · · · · · · · · · ·			, a		Z. (- 54)

Findings: Innata BURNAL was found CULLY of COR §3016(a), specifically "Conspiracy to Introduce 4 Controlled Substance" a Division "A2" offense. This finding is based on the preponderance of evidence presented at the hearing which does substantiate the charge. The evidence presented at the nearing included: SEE CX-115-C.

Disposition: Invote CURREL assessed $\underline{180}$ days forfoiture of credits in accordance with a Division "AZ" offense per COR 33225(c)(8).

Additional Disposition: Invate BURRAL was counseled and warmed.

Classification Referral: Refer to ICO for program review.

REFERRED TO CLASSIFICATION BPT/NAEA				
ACTION BY: (TYPED NAME)		SIGNATURE	DATE	TIME
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REVIEWED BY: (SIGNATURE)	DATE	CHIEF DISCIPLINARY OFFICER'S SIGNATURE	DATE	
Janan, (p) Carrier	. 2	o. Noll, Cabb.		
	BY: (STAFF'S SIGNATUR	NE)	DATE	TIME
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	N REPORT - PART C			<u> </u>		<u></u> 2_0F_ <u>2_</u>
CDC NUMBER	INMATE'S NAME		LOG NUMBER	INSTITUTION	TODAY	Y'S DATE
T-45872	BURRELL		505-10-0013	s. v. s.		0-16 -05
SUPPLEMENTAL	CONTINUATION OF: XX 11	15 CIRCUMS	TANCES HEARING	IE REPORT	OTHER	
0-59455, B5-132. It informed Visitor De stated thats "area's: Front pass the hand search of packaging of narco	cond visitor with a ride and dergeant Knuckles was information of the center. Officer's A. It that I would like to use officer seat. Front Console the vehicle Officer M. Valutics (I.E. Baggies, tape and trolled substance with the intended	ed and sh Disz and tilize a l rch of Vis (Ashtray dez and O nd balloom	e requested that visit M. Valdez conducted to Narcotic Canine during sitor #1's vehicle, the area) and the second fficer A. Diaz, found as and Vaseline) lead:	ing staff have the vehicle se the search of a narcotic can row seat, near items in the ing us to beli	e Visitor #2 reposerch. During the finer wehicle at the alerted to the the sliding documental tensistens whicle consistens	ort back to e intervie which time e following or. (Auria nt with the
	Sergeant A. Carriaga that de ained suspected controlled se		search of the rest ro	on in the Fac	llity "B" visiting	g a balloo
to the visiting pro- of visiting Innate from and then was of the above infor-	cation it was discovered that cessing center Visitor #2 was Henderson, D-58435, H5-132, told that she needed to repor- mation and instructed her st he disability stall that cont	s allowed . Upon he rt back to taff to co	to enter the institution or arrival to the faci the visiting procession and of the	m. Visitor #1 lity visiting ng center. Sen	errived with the room she utilize geant Knuckles w	e intention d the res as notifie
Facility "B" Visit got scared and atte	ing. Visitor #2 stated that moted to hide the balloon in	t when the the paper	e officers called her toilet seat covers on	back to the vithe wall.	isiting processin	ng area she
halloons were recommend to SV Four balloons of sur into ISU Evidence I photographs consists with a ruler. Closs removed from the Presumptive Drug Testing Test	700 hours, Lieutenant R. Mr vered from Visitor #1. The SP and placed the following ispected Marijuans. These ballocker #51. The digital project of the following: Over all se up view of balloons cut o packaging (selloons). Upon st on the suspected Marijuans the presumptive test, I p.	e balloons ltess into lloons were stographs l views of open showl completi	were placed into evidence: e opened and photograph were secured in the IS balloons in the origin ng/green leafy substant on of the photograph esimplies test indicate	lence bags and with a Digit I Film Eviden all packaging. I conducted a positive of the positiv	kept in my poss X tal camera and the ce Locker (Oct. 2 Mid range view of view of suspected d a Department of color change for	men secure 2005). The of balloons d Marijuan of Justice Marijuane.
plantic) in individu	ual zip lock baggies and plac	ed them i	n Svidence langs securio	g them into is	U Evidence Locket	r 51.
Inmate Burrell(is)/	is not a participant in the	MIDD.			to the control of the state of	
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СОРУ	OF CDC 115-C GIVEN TO INMATE	GIVEN BY:	(Staff's Signature)	DATE SIC	TIME SIG	NED
CDC 115-C (5/95)	THE PROPERTY OF	Car		*	Secondary (Secondary Secondary Secon	OSP 99 25082

Case 3:08-cv-00846-JSW Document 1 Filed 02/07/2008 Page 38 of 101

STATE OF CALIFORNIA

RULES MOLATIC	ON REPORT - PART C		:	DEPARTMENT OF CORRECTIONS PAGESOF_4
CDC NUMBER	INMATE'S NAME	J. OC MUMPED		
Alex Property	I WANTE O WANTE	LOG NUMBER	INSTITUTION	TODAY'S DATE

T-48872 BURRELL S05-10-0013 S.V.S.P. 06/04/06

SUPPLEMENTAL CONTINUATION OF: 115 CIRCUMSTANCES HEARING IE REPORT OTHER

Witness Testimony at Hearing: The SHO contacted Officer S. Hanley, via telephone, and asked the following question:

Q: How reliable are the witnesses used on the CDC 1030's?

A: Obviously reliable enough because we got 77.77 grams off of Invate Burrell's wife, Mrs. Reed.

There were no other questions.

Confidential Information: The confidential information disclosed that Innete BURRAL had in fact been conspiring with Visitor #1 to introduce a controlled substance into the institution.

Findings: Inmate RURRELL is found CULLTY of "Conspiracy To Introduce A Controlled Substance." This finding is based upon the following preponderance of evidence:

A: RVR Log #505-10-0013 authored by Correctional Officer S. Henley, which states in part, "On October 16, 2005, the Salinas Valley State Prison (SVSP), Investigative Services Unit (ISU) was conducting an investigation regarding the introduction of a Controlled Substance into SVSP, this investigation was concluded on October 20, 2005. On October 16, 2005, at approximately 1030 hours, Sergeant C. Knuckles, Visiting Sergeant contacted me and informed me that an approved visitor of Innate Surrell T-48872, B5-216, had arrived at the Central Visiting Processing Center and had signed a CDC 1000, Visitors Pass. (Aurrell's visitor will be referred to as Visitor #1 within this report) ISU them responded to the Central Visiting Processing Center, where I made the imitial contact with Visitor #1. Due to numerous visitors in the visitors processing room, I asked Visitor #1 to step out of the visiting area, where I could talk with her privately. Upon exiting the visiting processing area I informed Visitor #1 that I was conducting an investigation and that I needed to speak with her. Visitor #1 was then escorted to the SVSP Administration Building, In Service Training (IST) class room. Visitor #1 was then advised that she was suspected of bringing a controlled substance into SVSP. Visitor #1 was informed that this unit had obtained a search warrant and that the search warrant included her person, her personal belongings and any vehicle she arrived in. Visitor #1 then asked to relinquish her vehicle key, at which time she did. Visitor #1 also indicated that she had provided a second visitor with p ride and identified her as Visitor #2 an approved visitor of Imate Henderson, 5-58455, B5-132. Sergeant Knickles was informed and she requested that visiting staff have Visitor #2 report back to the visiting processing center. Officer's A. Diaz and M. Valdez conducted the vehicle search. During the interview I informed Visitor #1 that I would like to utilize a Marcotic Camine during the search of her vehicle at which time she stated thats "OK." During the camine search of Visitor #1's vehicle, the narcotic canine alerted to the following area's: Front passenger seat. Front Console (Ashtray area) and the second now seat, near the sliding door. During the hand search of the vehicle Officer M. Valdez and Officer A. Diaz, found icens in the vehicle consistent with the packaging of narcotics (I.E. Bassies, tape and ballooms and Vaseline) leading us to believe that she was indeed in possession of a controlled substance with the intention to introduce it into the prison.

I was informed by Sergeant A. Carriaga that during the search of the rest room in the Facility "B" visiting a balloon was found that contained suspected controlled substance.

(Continued On Part C)

W. Snowalter, Correctional Lieutenant

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to the contract of the contrac	SIGNATURE OF WRITER		DATE SIGNED
	W Down		Co. 11-06
J. W. G. Carris	GIVEN BY: (Staff's Signature)	DATE SIGNED	TIME SIGNED
COPY OF CDC 115-C GIVEN TO INMATE		4	100
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DU 50 MA ATION			ļ	DEPARTMENT OF CORRECTION
	REPORT - PART C		<u> </u>	PAGE 2 OF 4
T-48872	INMATE'S NAME	LOG NUMBER	INSTITUTION	TODAY'S DATE
	BURRELL	505-10-0013		06/04/06
SUPPLEMENTAL	CONTINUATION OF:	115 CIRCUMSTANCES HEARING	3 E REPORT	OTHER
Hearing: 06/04/06.	Time: 1825 hours.	Any Postponement Explaine	d: None.	
Services Delivery S exhibited any bizar demonstrate any str	System at the 500°G level rre behavior that raised c range, bizant or irratio	alth was good. MASOS: Inmate Bi of care. The circumstances of concerns about his mental healt ral behavior. Hased on this a sessment was not initiated.	the RVR do not in h. At the heari	ndicate that Innate BURRELL ng, Innate BURRELL did not
Date of Discovery: Hearing started on: D.A. postponed date	06/04/06. Last door	VR copy issued on: 10/20/05. ment issued to inmate on: 05/26/ lts issued date: 05/11/06.		straints: Met.
confirmed she inte	rviewed Inverte BJRRELL 24 mas, disciplinary charge a O hours. She introduced he	idd was assigned as Staff Ass hours prior to the hearing. and supporting evidence to inhat erself to Inhate BURRFIL and ask	Officer Kidd als a BURRELL. Offic	so confirmed she explained er Kidd was newly assigned
		stated, "I don't understand." o questions of Officer Kidd whe		
D.A. Referral: This by the D.A. on 05/	s matter was referred to 11/06, thus starting the 3	onal Officer R. Wysinger was ass the District Attorney for pos IV day clock on time constraint referral, as documented by his s	sible felony pros s. Innate ERRE	ecution, but was rejected IL did request the hearing
Pridence Requested:	ione. External/Outside Ex	ridence: None. Video Tape Briden	œ: N/A.	
hearing. Imate H	etement: The charges were : RRFIL encered a plea of Infused as to why this is p	read aloud and Invate BURRELL: NOT CURLY and stated, "Only so proceeding."	stated he was protated in the statement I have	spaced to proceed with the has elapsed, is that time
	l: Inrate BRC requeste is request was GAVITO.	ed the Reporting Employee, Offic	cer S. Henley, as	s a witness to be present
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(Continued On Part (3)	W. Showalter, Correctio	nal Lieutenant	The second secon
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ž.,		W. Showalter, Correction	nal Lieutenant	DATE SIGNED

Case 3:08-cv-00846-JSW Document 1 Filed 02/07/2008 Page 40 of 101

115 CIRCUMSTANCES

JFORNIA

DEPARTMENT OF CORRECTIONS

OTHER

RULES MOLENTION	REPORT - PART C			PAGEOF_+
CDC NUMBER	INMATE'S NAME	LOG NUMBER	INSTITUTION	TODAY'S DATE
T-48872°	BURRELL	805-10-0013	S.V.S.P.	06/04/06
				00/04/00

HEARING IE REPORT

(Findings Continued)

SUPPLEMENTAL CONTINUATION OF:

During the investigation it was discovered that Visitor #2 had arrived at SVSP with Visitor #1 and prior to our arrival to the visiting processing center Visitor #2 was allowed to enter the institution. Visitor #2 arrived with the intention of visiting Inmate Henderson, 0-58455, 85-132. Upon her arrival to the facility visiting room she utilized the rest room and then was told that she needed to report back to the visiting processing center. Sergment Knuckles was notified of the above information and instructed her staff to conduct a search of the rest room. Ouring this search a balloon was discovered in the disability stall that contained suspected narcotics.

Ar approximately 1300 hours, ISO interviewed Visitor #2 regarding the balloon that was found in the rest room of the Facility "8" Visiting. Visitor #2 stated that when the officers called her back to the visiting processing area she got scared and attempted to hide the balloon in the paper toilet seat covers on the wall.

At approximately 1700 hours, Lieutenant R. Hartinez and I transported Visitor #1 to an outside hospital where four balloons were recovered from Visitor #1. The balloons were placed into evidence bass and kept in my possession. I then returned to SVSP and placed the following items into evidence:

Four balloons of suspected Marijuana. These balloons were opened and photographed with a Digital camera and then secured into ISU Evidence Locker #51. The digital photographs were secured in the ISU Film Evidence Locker (Cot. 2005). The photographs consisted of the following: Over all views of balloons in the original packaging. Mid range view of balloons with a ruler. Close up view of balloons cut open showing green leafy substance. Over all view of suspected Marijuana removed from the packaging (ballooms). Upon completion of the photographs, I conducted a Department of Justice Presumptive Drug Test on the suspected Marijuana. The presumptive test indicated a positive color change for Marijuana.

Upon completion of the presumptive test, I placed the suspected Marijuana and the wrapping (I.E. Balloons, tape and plastic) in individual zip lock bazzies and placed them in Evidence bazs securing them into ISU Evidence Locker 51."

B: The Confidential Memorandum attested to by the CDC 1030 Form shows that Inmate 30RRFLL did conspire with his wife to introduce controlled substances into the institution.

Conclusion: Invate SURRELL is found guilty of Conspiring To Introduce A Controlled Substance, a Division "A-2" Offense. Since Innate BARRELL never came into contact with the drugs that were found to be associated with his visitor, Innate BURRELL is guilty of conspiring and not carrying through to the completed act to introduce trose drups.

Innate BJRJIL's **visiting privileges** are suspended based on CCR §3176.4(d) and (5) in that this is a Serious Violation is associated with visiting.

Additional Disposition: Impate BURGIL assesses 90 days loss of visiting beginning on 05/04/06 and concluding on 09/02/06.

Enemy Concerns: None.

Appeal Rights: Invate SURRELL was advised of his appeal rights per CCR \$3084.1(a). Invate SURRELL was also informed of the CCR Restoration Amendment per A/B 96/4, in that effective April 1, 1996, any RVR resulting in credit loss greater than 90 days (Division A1, A2, B, or C offenses) will not be restored. Inmate SCRRELL was advised be will receive a completed copy of the RVR upon final audit by the Chief Disciplinary Officer.

W. Showalter, Correctional Lieutenant

	SIGNATURE OF WRITER		DATE SIGNED
· ·	W OMow		6-4.00
	GIVEN BY: (Staff's Signature)	DATE SIGNED	TIME SIGNED
COPY OF CDC 115-C GIVEN TO INMATE	CORDINATE	Shorton	11211

COPY OF CDC 115-A GIVEN INMATE

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

RULES VIOLATION REPORT

CDC NUMBER T-48872	INMATE'S NAME BURRELL		RELEASE/BOARD D		INST.	HOUSING NO.	LOG NO.
1-45572	DUARGLL				S.V.S.P.	85-216	S05-10-001
VIOLATED RULE NO(S).		SPECIFIC ACTS CONSPIRACY TO		LOCAT	ONLEGIKAL	DATE	TIME
CCR \$3016(a))	INTRODUCE A CONTROLLED	SUBST.	VIS.	PROCESS.	10-16-05	1030 HRS.

conducting an investigation regarding the introduction of a Controlled Substance into SVSP, this investigation was concluded on October 20, 2005. On October 16, 2005, at approximately 1030 hours, Sergeant C. Knuckles, Visiting Sergeant contacted me and informed me that an approved visitor of Inmate Burrell T-48372, B5-216, had arrived at the Central Visition Processing Center and had signed a CDC 1000, Visitors Pass. (Burrell's visitor will be referred to as Visitor #1 within this report) ISU then responded to the Central Visiting Processing Center, where I made the initial contact with Visitor #1. Due to numerous visitors in the visitors processing room, I asked Visitor #1 to step out of the visiting area, where I could talk with her privately. Upon exiting the visiting processing area I informed Visitor #1 that I was conducting an investigation and that I needed to speak with her. Visitor #1 was then escorted to the SVSP Administration Building, In Service Training (IST) class room. Visitor #1 was then advised that she was suspected of bringing a controlled substance into SVSP. Visitor #1 was informed that this unit had obtained a search warrant and that the search warrant included her person, her personal belongings and any vehicle she arrived in. Visitor #1 then asked to relinquish her vehicle key, at which time she did. Visitor #1 also indicated that she CONTINTED ON PART C

REPORTING EMPLOYEE	(Typed Name and Signature)	4	,	_	DATE		ASSIGNMENT		RDO	'S	
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CDC 115	BY: (STAFF'S SIGNATURE)			DATE	TIME	TITLE OF SUPPLEME	ENT				
INCIDENT REPORT LOG NUMBER:	BY: (STAFF'S SIGNATURE)			DATE	TIME	BY: (STAFF'S SIGNA			DATE	TIA	ME
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	BY: (STAFF'S SIGNATUR	E) 6.	DATE	TIME
COPY OF CDC 115 GIVEN INMATE AFTER HEARING	•			

STATE OF CALIFORNIA

RULES VIOLATION REPORT - PART C

DEPARTMENT OF CORRECTIONS

PAGE ____OF ___

	INMATE'S NAME	LOG NU	MBER	INSTITUTION		TODAY'S DATE
T-45372	BURREIL	Si	-10-0013	S. V. S. P.	•	10-16-95
SUPPLEMENTAL	CONTINUATION OF:	115 CIRCUMSTANCES	HEARING	☐ IE REPORT	OTHER	R

had provided a second visitor with a ride end identified her as Visitor #2 an approved visitor of Immate Handerson, D-58455, B5-132. Sergeant Knuckles was informed and she requested that visiting staff have Visitor #2 report back to the visiting processing center. Officer's A. Diaz and M. Valdez conducted the vehicle search. During the interview I informed Visitor #1 that I would like to utilize a Narcotic Camine during the search of her vehicle at which time she stated thats "CK." During the comine search of Visitor #1's vehicle, the narcotic camine alerted to the following area's: Front passenger seat. Front Console (Ashtray area) and the second row seat, near the sliding door. Ouring the hand search of the vehicle Officer M. Valdez and Officer A. Diaz, found items in the vehicle consistent with the packaging of narcotics (I.E. Baggies, tape and balloons and Vaseline) leading us to believe that she was indeed in pussession of a controlled substance with the Intention to introduce it into the prison.

I was informed by Sergeant A. Carriaga that during the search of the rest room in the Facility "B" visiting a balloom was found that contained suspected controlled substance.

During the investigation it was discovered that Visitor #2 had arrived at SVSP with Visitor #1 and prior to our arrival to the visiting processing center Visitor #2 was allowed to enter the institution. Visitor #2 arrived with the intention of visiting Irmate Henderson, D-58455, 85-132. Upon her arrival to the facility visiting room six utilized the rest room and then was told that she needed to report back to the visiting processing center. Sergeant Kruckles was notified of the above information and instructed her staff to conduct a search of the rest room. During this search a balloon was discovered in the disability stall that contained suspected narcotics.

At approximately 1300 hours, ISU interviewed Visitor #2 regarding the balloon that was found in the rest room of the Vacility "B" Visiting. Visitor #2 stated that when the officers called her back to the visiting processing area she got scared and attempted to hide the balloon in the paper toilet seat covers on the wall.

At approximately 1700 hours, Lieutenant R. Martinez and I transported Visitor #1 to an outside hospital where four balloons were recovered from Visitor #1. The balloons were placed into evidence bags and kept in my possession. I then returned to SVSP and placed the following items into evidence:

Four balloons of suspected Marijuana. These balloons were opened and photographed with a Digital camers and then secured into ISU Evidence Locker #51. The digital photographs were secured in the ISU Film Evidence Locker (Oct. ZXB). The photographs consisted of the following: Over all views of balloons in the original packaging. Mid range view of balloons with a ruler. Close up view of balloons cut open showing green leafy substance. Over all view of suspected Marijuana removed from the packaging (balloons). Upon completion of the photographs, I conducted a Department of Justice Presumptive Drug Test on the suspected Marijuana. The presumptive test indicated a positive color change for Marijuana.

Upon completion of the presumptive test, I placed the suspected Marijoana and the wrapping (I.E. Mailcons, tape and placed them in Evidence bags securing them into ISU Evidence Locket 51.

Investe Gurrell is / is not a participant in the MISIS.

	Signature of Writer S. Henley, Correctional-Officer	W.	DATE SIGNED
COPY OF CDC 115-C GIVEN TO INMATE	GIVEN BY: (Staff's Signature)	DATE SIGNED	TIME SIGNED

CDC NUMBER	INMATE'S NAME			RULE NO(S).		TE	INSTITUTION	LOG NO.	-,
T-48872	BURRELL		CCR S	3016(a)	1	0-16-05	S.V.S.P.	S05-10-	-0013
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I REQUEST my lof referral for pro	hearing be postponed osecution.	pending outcome		NMATE'S SIGNATURE	Ē			DATE	
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STATE OF CALIFORNIA CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

CONFIDENTIAL INFORMATION DISCLOSURE FORM

IN	MATE NUMBER: T-48872 INMATE NAME: BUYELL
1)	Use of Confidential Information.
	Information received from a confidential source(s) has been considered in the:
	a) CDC-115, Disciplinary Report dated O· ZO·OS submitted by STAFF NAME, TITLE
	b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated
2)	Reliability of Source.
	The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.
	This information is considered reliable because:
	a) A This source has previously provided confidential information which has proven to be true.
	b) This source participated in and successfully completed a Polygraph examination.
	c) 🗷 More than one source independently provided the same information.
	d) 🗵 This source incriminated himself/herself in a criminal activity at the time of providing the information.
	e) 🗷 Part of the information provided by the source(s) has already proven to be true.
	f) Other (EXPLAIN)
3)	Disclosure of information received.
	The information received indicated the following: The Burnell has been
	Conspiring wil his soouse to introduce.
	a controlled Substance into SUSP.
	//s additional areas product attack another shoot)
	(If additional space needed, attach another sheet.)
.)	Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material
,	folder). Consideration Many Very aut in Charter
	10.10.03
_	STAFF SIGNATURE, TITLE DATE DISCLOSED
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DISTRIBUTION: WHITE __Central File; GREEN — Inmate; YELLOW — Institution Use

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STATE OF CALIFORNIA CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

CONFIDENTIAL INFORMATION DISCLOSURE FORM

INN	MATE NUMBER: D58455 INMATE NAME: Handerson
1)	Use of Confidential Information.
	Information received from a confidential source(s) has been considered in the:
(a) CDC-115, Disciplinary Report dated CD. 15.05 submitted by
	STAFF NAME, TITUE
	b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated Or 100000000000000000000000000000000000
2)	Reliability of Source.
	The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.
	This information is considered reliable because:
	a) This source has previously provided confidential information which has proven to be true.
	b) This source participated in and successfully completed a Polygraph examination.
	c) More than one source independently provided the same information.
	d) X This source incriminated himself/herself in a criminal activity at the time of providing the information.
	e) 🗷 Part of the information provided by the source(s) has already proven to be true.
	f) Other (EXPLAIN)
3)	Disclosure of information received.
	The information received indicated the following:
	In Bursells x-cell note are boinging
	large quantities of Narratio's into Salivais
	Willie State Prison, Through their Schockile
	Visits.
	(If additional space needed, attach another sheet.)
	Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material folder).
	Sept 30 2003
	10.17.05
	STAFF SIGNATURE TINE

STATE OF CALIFORNIA CDC 1030 (12/86)

DEPARTMENT OF CORRECTIONS

CONFIDENTIAL INFORMATION DISCLOSURE FORM

INI	MATE NUMBER: T=48872 INMATE NAME: BUTTEIL
1)	Use of Confidential Information.
	Information received from a confidential source(s) has been considered in the:
	a) CDC-115, Disciplinary Report dated submitted by
	STAFF NAME, TITLE
	(b) CDC-114-D, Order and Hearing for Placement in Segregated Housing dated
2)	Reliability of Source.
	The identity of the source(s) cannot be disclosed without endangering the source(s) or the security of the institution.
	This information is considered reliable because:
	a) This source has previously provided confidential information which has proven to be true.
	b) This source participated in and successfully completed a Polygraph examination.
	c) 🔼 More than one source independently provided the same information.
	d) This source incriminated himself/herself in a criminal activity at the time of providing the information.
	e) Part of the information provided by the source(s) has already proven to be true.
	f)
3)	Disclosure of information received.
	The information received indicated the following: Im Burnell and his
	wife (Carla Read) had have compiled
	to introduce a Controlled Substance inte
	Enline When State Prison Through A
	Visit 1
	(If additional space needed, attach another sheet.)
1)	Type and current location of documentation, (for example: CDC-128-B of 5-15-86 in the confidential material
	folder). Confidential Hemorringum autea
	<u>Dept 30, 2000</u>
	10.17.00
	STAFF SIGNATURE, TITLE DATE DISCLOSED

 ${\bf DISTRIBUTION: WHITE-Central\ File;\ GREEN-Inmate;\ YELLOW-Institution\ Use}$

MONTEREY COUNTY

OFFICE OF THE DISTRICT ATTORNEY DEAN D. FLIPPO

240 CHURCH STREET - P.O. BOX 1131 SALINAS, CALIFORNIA 93902 (831) - 755-5070 FAX (831) - 755-5068

May 3, 2006

M.S. Evans, Warden (A) Salinas Valley State Prison 31625 Hwy. 101 P.O. Box 1020 Soledad, CA 93960-1020

Burre!! - T48872 RE:

Your incident report October 16, 2005 has been reviewed and evaluated. We decline prosecution as we feel this matter could best be handled administratively.

Very truly yours,

DEAN D. FLIPPO District Attorney

Rick Storms,

Deputy District Attorney

I.R. SVP-05-10-0667 Orig. Central File

Cc: Assoc. Warden's File

Facility Captain Inmate ISU File

RECEIVED

MAY 1 1 2006

ASSOCIATE WARDEN OPS

Date: 5/4/2006

Facility CCII ISU case file 115 Desk Inmate င္ပ

C-File

NAME and NUMBER

BURRELL, T-48872

Case #SVP-CEN-05-10-0667, dated 10/16/2005, 115 Log #

Investigative Services Unit (ISU) for referral to the District Attorney's Office.

returned to ISU indicating the case has been:

CDC - 128B (Rev. 4/74) CO TOTAL

On 5/4/2006 this case was

was forwarded to the

Rejected by the D.A. Accepted by the D.A. Declined by I.S.U. (Rejected 5/3/2006)

Salinas Valley State Prison ISU STAFF

GENERAL CHRONO

(DISTRICT ATTORNEY REFERRAL)

RECEIVED MAY 11 2005

ASSOCIATE WARDEN, OPS

SALINAS VALLEY STATE PRISON SOLEDAD, CALIFORNIA

DEPARTMENT OF JUSTICE PRESUMPTIVE DRUG SCREEN TEST REPORT

Date Discovered: 10/16/2005	Time Discovered: 1030
Confiscating Staff Member: A. D Inmate Name & Number: BUF	RRELL, T-48872 Rank: CORRECTIONAL OFFICER Cell: B5-216
THE MATERIAL IN QUESTION	WAS TESTED FOR THE FOLLOWING:
MARIJUANA/HASHISH AMPHETAMINE HEROIN COCAINE BARBITURATE OTHER: Methamphetamine Color Indicated: Blue/Violet Weight: 6.38 grams Certified Testing Officer: A. DIA Date Tested: 10/16/2005	POSITIVE NEGATIVE
• • • • • • • • • • • • • • • • • • • •	,
WAIVER	OF INDEPENDENT LABORATORY TESTING
PURSUANT WITH CALIFORN HAVING BEEN ADVISED OF N FINDINGS BY THE <u>CERTIFIED</u>	IA CODE OF REGULATIONS, TITLE 15, RULE #3290(e) AND MY RIGHTS PER THE MIRANDA DECISION, I AGREE WITH THE DESCRIPTIVE DRUG SCREENING TEST. I HEREBY WAIVE ENDENT LABORATORY IN THIS DISCIPLINARY MATTER AND
INMATE SIGNATURE	CDC NUMBER HOUSING
DATE: TIME:	WITNESSED BY:
	•

Case 3:08-cv-00846-JSW Document 1 STATE OF CALIFORNIA ADMINISTRATIVE SEGREGATION UNIT PLACEMENT NOTICE CDC 11: D (Rev 9/98)

Page 51 of 101 corrections Filed 02/07/2008

DISTRIBUTION: WHITE - CENTRAL FILE BLUE - INMATE (2ND COPY) GREEN - ASU

CANARY - WARDEN PINK - HEALTH CARE MGR GOLDENROD - INMATE (18T COPY)

INMATE'S NAME	RRELL							CDC NUMBER	-48972		
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772-1516

STATE OF CALIFORNIA
ADMINISTRATIVE SEGREGATION UNIT PLACEMENT NOTICE
CDC 114-D (Rev 9/98)

DEPARTMENT OF CORRECTIONS

CDC 114-D(Rev 9/9 Salinas Valley St		F	acility 'B'		DISTRIBUTION: WHITE · CENTRAL FILE BLUE · INMATE (2ND COPY)) PINI	ARY - WARDEN - HEALTH CARE MGR
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DATE OF ASUPLACEMENT	SEGREGATION A	UTHORITY'S P	PRINTED NAME	SIGNATURE	7		Title Lieutenant
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The following to	be completed	during th		FIVE REVIEW (review by Captali	PART B) n or higher by the first wo	rking day	following placement
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DEPARTMENT OF CORRECTIONS

Case 3:08-cv-00846-JSW Document 1 Filed 02/07/2008

STATE OF CALIFORNIA ADMINISTRATIVE SEGREGATION UNIT PLACEMENT NOTICE CDC 114-D (Rev 9/98)

DISTRIBUTION: WHITE - CENTRAL FILE BLUE - INMATE (2ND COPY)

CANARY - WARDEN PINK - HEALTH CARE MGR

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EXHIBIT

Administrative Bulletin

AB 92/15

AB 92/15 Use of Confidential Information In Disciplinary Hearings.

"The purpose of this Administrative Bulletin is to clarify the use of confidential material in disciplinary hearings pursuant to the California Code of Regulations, Title 15, Division 3, Section 3321(b)(1) which reads:

No decision shall be based on information from confidential source unless other documentation corroborates information from the source, or unless the circumstances surrounding the event and the documented reliability of the source satisfies the decision makers that the information is true.

Decisions in disciplinary hearing based upon confidential information shall be supported in a confidential memorandum, incident report or finding portion of the CDC Form 115 with investigative information and appropriate documentation... These documents shall contain: (emphasis added).

- * A statement in support of CCR Section 3321(C)(1) detailing the past information provided and why the confidential informant is considered reliable for the current incident.
- * Whether the current information is first-hand or hearsay.
- * Whether documentation or other circumstances surrounding the event would lead the decision maker to believe the information is true.
- * In the case of multiple confidential sources, the degree of reliability of each source shall include how each statement compares with the other statements and the circumstances or evidence on which the conclusion of reliability was based. The description of the circumstances shall state how it was possible that the events occurred as described by the confidential sources, and include any facts or evidence (who, what, when and how) which confirms the truthfulness of "Some aspects of the source's information. Superintendent v. Hill (1985) 472 U.S. 445)." emphasis added)

EXHIBIT ___

California Department of Corrections and Rehabilitation

MEMORANDUM



Date:

September 21, 2006

To:

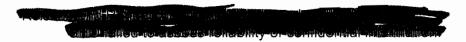
R. Parin

Watch Commander

Subject: REISSUE/REHEAR RULES VIOLATION REPORT (RVR) LOG # S05-10-0013

CONSPIRACY TO INTRODUCE A CONTROLLED SUBSTANCE

Per CCR 3312(b)(1) the Chief Disciplinary Officer (CDO) may order a different disciplinary action, order a different method of discipline, dismiss a charge, order a rehearing of the charge, or combine any of these disciplinary actions. As the Chief Disciplinary Officer I am ordering the following:



Please ensure a different hearing Lieutenant is assigned to ensure that due process requirements are adhered to during the rehearing process.

If you have any questions you may contact me at extension 5535.

Correctional Administrator - Central Services

Salinas Valley State Prison

Original to be filed w/115

CC:

C-file Inmate

Register of Institution Violations

State of California INMATE /	PAROLEE APPEAL S	CREENING FORM	Department of	Corrections	and Rehabilitation
INMATE: Burrell	CDC#:	6672 CDC HOL	ISING: D7-2	23/	CDCR-695
THIS IS NOT AN APPEAL RESPONS					ED BELOW OR
	TURNED TO YOU TO AT				
	IS BEING RETURNED			ON(S):	
				7.	
[] Duplicate Appeal; Same Issu	ie	[] Limit of One Contin	uation Page May	Be Attached	
1 Do Not Combine Staff Compl	aints with Other Issues	[] Inappropriate State			
14 Time Constraints Not Met		[] Action / Decision N	ot Taken By CDC	3	
[] Cannot Submit On Behalf-Of	another Inmate	[] DRB Decisions Are	Not Appealable		
[] No Significant Adverse Effect	Demonstrated	[] Appealing Action N	ot Yet Taken		
[] Pointless Verbiage/Appeal is	vague	[] May Submit One (1) Non-Emergency	Appeal Per	Week
[] Incomplete 602		[] Not A Request Forr	n; Use CDCR-736	2 – to acces	s Medical
[] Attempting to Change Origina	ıl Appeal Issue	Services, submit yo	ur request on a C	DCR-Form 7	362.
[] Not Authorized to Bypass Any	/ Level	If necessary, sign u	p for sick call.		
Request for Interview; Not an	Appeat	[] Write your appeal i	n black or blue inl	t, this is a leg	gal
Mumerous and separate issue	es 📝	document and pen	cil/inks other than	black or blu	e do
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Eloy Medina, CC-II			Date:	1/23/	10)
Appeals Coordinator				/	
T his	innealed If you allege	41			

Page 58 of 101

This screening action may not be appealed. If you allege the above reason is inaccurate, then attach an explanation on a separate piece of paper, or use the back of this screen out – do not write any more on the appeal itself. Please return this form to the Appeals Coordinator with the necessary information attached.

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

INMATE/PAROLEE	Location. Institution/ Parole Region	Log No.	Category
APPEAL FORM	1	1	
CDC 602 (12/87)	2	2	
You may appeal any policy, action or decision committee actions, and classification and state member, who will sign your form and state documents and not more than one additional for using the appeals procedure responsibly.	t representative decisions, you must firs what action was taken. If you are not	t informally seek relief throug	h discussion with the appropriate staff
NAME	NUMBER ASSIGNMENT		UNIT/ROOM NUMBER
MR, Angee Burrell	T-48872 D-7;	Building BRIER	D-7-23
A. Describe Problem: On OCTOBER	16,2005 I MR.B	USTELL WAS TO	ut into AD-Seg(Holf
DUE TO Information Provid	ED By Alledoe Cor	FIDETIAL INFORM	Mation By Several
RAPIST, murden's, see			
SUSP, Et. AL, I WR. Burre			
word 2 201/ Church Pales Viet	NATE OF CACHE DE NEWS	1 John OCION	=17,10,2005 1 Wru 1-
MARCH 2, 2006, given Rules Vio			
· / / / / / / / / / / / / / / / / / / /	Amendment Rights		STATES CONSTITUTION
SEE EXHIBIT(A) ATTACHED C		6, I MR. BUTTELL	FILED IMMATE GREVIET
DUE TO THIS OUTRAGEOUS OF	, , , , , , , , , , , , , , ,	1(SVSP) Et, AL.	DUE Process Violation
If you need more space, attach one additional	sheet. SEE EVHIBITIA) A	MACLED -	" (ountinue)" SEE "ATTACHED PAGE
		0.0000000000000000000000000000000000000	/ + +
	ISSUED, RE-HETARD		1100411025,12C,3,200
	PRIVILAGE'S RETURNE		/
(2) All Document's Con	CFR1109 9 OCT, 16, 200	5; CDC 115 Ru	IES VIOLATION -
(A) 505-10-0013; (B) 506-0	09-0027(R); REMOVET	From my MB. BUR	PELL CIDC CENTRAL FILE-
Inmate/Parolee Signature: MR, Ange	e Burrell DEPUR	PER GASOBBI	Submitted: DECEMBER, 13, 20
	<u> </u>	# V EUUU	
C. INFORMAL LEVEL (Date Received:)	7007 7 2005 7	DEFINERED LEB 0
Staff Response:		תבנים.	JAN 88 2007
Canti Cimaaa		Data Paturas	d to lamate:
Staff Signature:		Date Neturne	d to minate.
D. FORMAL LEVEL f you are dissatisfied, explain below, attach supposed in the Institution/Parole Region Appeals			fication chrono, CDC 128, etc.) and
<u> </u>			
	· ————————————————————————————————————		 _
lignature:lote: Property/Funds appeals must be accompa		Date	Submitted: CDC Appeal Number:
tote: Property/Punds appeals must be accompa soard of Control form BC-1E, Inmate Claim	men by a completed		
	,)		
	(1)		
	(1) 1358 P.C.	· •	

· Configuration of 101 Cont, P. (2) DESCRIBE PROBLEM: I MR. BUTTELL AllEDGE THAT SOON THETE AFTER FILING GREVIENCE / I MR. BUNGELL WAS RATHLITATED, AGAINST By GO HEALTY, APPELS COOP. Eloy MEDINA; D TAVERS (SVSP) Et, AL. WENT into FUTHER, CONS, PARTY TO VIOLATE (MY) MA, BUTTELL, UNITED STATES CONSTITUTIONAL RIGHTS, 15+ 5th; 6th.15 Amendments/ Futhers, Consiparcy To OBSTRUCT JUSTICE / By Delaying Dening, In formation, Delaying To RETURN, ADDRESS (602) Invite Greisence FILED By MR. BUTTELL, SEE EXHIBIT(A), RETAINTION REPRISAL, EXHIBIT (B) AND (D) "REISSUED" ANOTHER CDC 115.

Discipliany Rules VIOLATION, After Becoming ANARE THAT THE

Confinctial Information / From Thier RAPIST, mirder's, Et, AL. WAS NOW ASSESS RELIABILITY, Also, SEE EXHIBIT (B) ATTACHED! A 150 (C) VIOLATIES MR, BUTTEU Rights undER CCR TITLE 15; 3:321(2) And (3) FITHER, MORE AFTER GO HENELY; Eloy MEDIA (SVSP) "OBSTRUCTED.

DELAYED Inmate Burrell 1st Amendment Rights ACCESS TO T JUSTICE / They WENT FIRMER INTO CONSIPARY TO VIOLATE, PUNISH (ME) MR. BUTTELL (Right's) By RE-ISSUEING: RE-HEARING; RE-Punishing, (ME) MR. Burrell By (TRYING)! TO COVER-UP! ThiER DUE Process Equal Protection of the LAWS, They Violated ! By Filing Another CDC115, Rule's Violation Discipliany Report / Punishing mt WORSER)]
In "RETALATION. REPRISA! / SEE EXHIBIT (D) ATTACHED: DIE TO This OUTRAGEOUS CINQUET: VIOLATION OF (my) MR, BURTELL 1st 5th, 6th. 14th. AMENDMET Right's of THE UNITED STATES Constitution By Go Henely; Appeals COOR, Eloy Medina, (SVSP) Et, AL. I MR, BUYVELL HAS SUFFERED LIFE; LIBERTY; PROPERTY; FAMILY; JUSTICE FREEDOM; DUE TO BEING "PLACED" IN AD-SEG, (HOLE) DEMIED" LEGAL = TO ADDRESS THE COURTS, WITHESSES) TO PREPARE PRESENT CASE in Alledge Chiminal Conviction, Denied Access-REAL TENLY Submitted TO CONTACT LAWYER'S | Et, AL .. By Anger Burrell 12200. milite AB.C.D. Amselver). ---R-132006

804 Set	Case 3:08-cv-0	00846-JSW : ձո Դր	/ Docum	nent 1	Filed 02	2/07/20	008 Page	e 61 of 101		
STATE OF CALIFORNIA RULES VIOLA		**************************************		Jy	Orbital State Control of the Control		THE PARTY OF THE P	DEPARTM	IENT OF C	ORRECTIO
CDC NUMBER	INMATE'S NAME	JK I	_		RELEASE/BOARD	DATE	INST.	HOUSING NO.	Lion	NO.
Γ-48872 VIOLATED RULE NO(S).	BURRELL	SPECIFIC ACT			MEPD 9/20/		SVSP	57-231L	SO	6-09-0
CCR \$3016(a))	SPECIFIC ACT	CONSPIRA A CONTRO	CY TO LLED S	INTRODUCE JESTANCE	Vis	Central	09/21/06	TIM 1	е 030 ня
This RVR Log Disciplinary Of	#905-10-0013 is	s being ord: 9/21/06.	ared Re-Las	Lued /	Re-Heard p	er ment	candus auti	nomed by D.	Trave	ers, Ch
-	2005, the Sali		State Pris	on (SVS	P). Inwesti	oatri we	Services 15	rit (TSI) w	16 000	torio-
investigation of	regarding the i	ncroduction	of a Contr	colled S	ubstance in	nto SVS	P. this inv	escization	was co	ncluded
me and informe	05. On October id me that an a	approved visi	itor of Im	ate Bur	rell T-4887.	2, 35-2	16, had arci	ived at the	Centra	l Visit
Processing Cent	er and had signs	ed a COC 1000	, Visitors	Pass.	Burrell's i	isitor	will be refe	erred to as	Visitor	#1 wit
#1. Due to num	SU then responde erous visitors	in the visit	cus bloces cust Alarch	ng rroce sing roc	ssing cence m, I asked	r, wher Visito	e image the c ål to stæ	out of th	MCACT W e visit	ith Visi ing ar
where I could	talk with her	privately.	Upon exiti	ng the	visiting on	ocessin	g area I in	formed Visit	or #1	that I
conducting an 1	nvestigation an	d that I haed			er. Visito In Part C	c #1 was	s then escon	ted to the S	SVSP	
	is a participan	t in the Ment	cal Health S	ervices	Delivery S			level of car		
EPORTING EMPLOYEE (Type		1 OEE		DA'	Έ .		ASSIGNMENT		RDO'S	10 /11
EVIEWING SUPERVISOR'S	y, Correcti	onal off	DATE		NMATE SEGREGAT	ED PENDIN	G HEARING		5/	/S/H
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LASSIFIED	OFFENSE DIVISION:	DATE	CLASSIFIED BY				, pos 1/13	HEARING REFE	RRED TO	
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KCDC 115 BY	Y: (STAFF'S SIGNATURE)	c	OPIES GIVEN		TITLE OF C	LIDDI CMEN	7			
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EFERRED TO CLASSIFIC CTION BY: (TYPED NAME)	CATION BPT/NAEA			SIGN	ATURE		<u> </u>		DATE	TIME
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EVIEWED BY: (SIGNATURE)			DATE BY: (STAFF'S SIG	.	F DISCIPLINARY OF	FICER'S SIG	NATURE		DATE	TIME

STATE OF CALIFORNIA

RIE OF GALIFORNIA	DEPARTMENT OF CORRECTIONS
ILES VIOLATION REPORT - PART C	PAGE 2 OF 2

ROLES VIOLATION	F	AGE_Z_OF_Z_				
CDC NUMBER	INMATE'S NAME		LOG NUMBER	INSTITUTION		TODAY'S DATE
T-48872	BURRELL		S06-09-0027R	SVSP		09/21/06
SUPPLEMENTAL	X CONTINUATION OF:	X 115 CIRCUMSTA	ANCES HEARING	IE REPORT	OTHER	?

Administration Building, In Service Training (IST) class room. Visitor #1 was then advised that she was suspected of bringing a controlled substance into SVSP. Visitor #1 was informed that this unit had obtained a search warrant and that the search warrant included her person, her personal belongings and any vehicle she arrived in. Visitor #1 then asked to relinquish her vehicle key, at which time she did. Visitor #1 also indicated that she had provided a second visitor with a ride and identified her as Visitor #2 an approved visitor of Innate Henderson, D-58455, B5-132. Sergeant Knuckles was informed and she requested that visiting staff have Visitor #2 report back to the visiting processing center. Officer's A. Diaz and M. Valdez conducted the vehicle search. During the interview I informed Visitor #1 that I would like to utilize a Narcotic Canine during the search of her vehicle at which time she stated thats "XX." During the canine search of Visitor #1's vehicle, the narcotic canine alerted to the following area's: Pront passenger seat. Front Console (Ashtray area) and the second row seat, near the sliding door. During the hand search of the vehicle Officer M. Valdez and Officer A. Diaz, found items in the vehicle consistent with the packaging of narcotics (I.E. Baggies, tape and balloons and Vaseline) leading us to believe that she was indeed in possession of a controlled substance with the intention to introduce it into the prison.

I was informed by Sergeant A. Carriaga that during the search of the rest room in the Facility "B" visiting a balloom was found that contained suspected controlled substance.

During the investigation it was discovered that Visitor #2 had arrived at SVSP with Visitor #1 and prior to our arrival to the visiting processing center Visitor #2 was allowed to enter the institution. Visitor #2 arrived with the intention of visiting Inmate Henderson, D-58455, B5-132. Upon her arrival to the facility visiting room she utilized the rest room and them was told that she needed to report back to the visiting processing center. Sergeant Knuckles was notified of the above information and instructed her staff to conduct a search of the rest room. During this search a balloon was discovered in the disability stall that contained suspected narcotics.

At approximately 1300 hours, ISO interviewed Visitor #2 regarding the balloon that was found in the rest room of the Facility "P" Visiting. Visitor #2 stated that when the officers called her back to the visiting processing area she got scared and attempted to hide the balloon in the paper toilet seat covers on the wall.

At approximately 1700 hours, Lieutenant R. Martinez and I transported Visitor #1 to an outside hospital where four balloons were recovered from Visitor #1. The balloons were placed into evidence bags and kept in my possession. I then returned to SVSP and placed the following items into evidence:

Four balloons of suspected Marijuana. These balloons were opened and photographed with a Digital camer, and then secured into ISU Evidence Locker #51. The digital photographs were secured in the ISU Pila Evidence Locker (Oct. 2005). The photographs consisted of the following: Over all views of balloons in the original packaging. Mid range view of balloons with a ruler. Close up view of balloons cut open showing green leafy substance. Over all view of suspected Marijuana removed from the packaging (balloons). Upon completion of the photographs, I conducted a Department of Justice Presumptive Drug Test on the suspected Marijuana. The presumptive test indicated a positive color change for Marijuana.

Upon completion of the presumptive test, I placed the suspected Marijuana and the wrapping (I.E. Balloons, tape and plastic) in individual zip lock baggles and placed them in Evidence bags securing them into ISU Evidence Locker 51.

S. Henley, Correctional Officer

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	SIGNATURE OF WRITER		DATE SIGNED
			[·
	GIVEN BY: (Staff's Signature)	DATE SIGNED	TIME SIGNED
COPY OF CDC 115-C GIVEN TO INMATE	C/O OP 112 188	9/29/06	liso
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Case 3:08-cv-00846-JSW Document 1 Filed 02/07/2008 Page 63 of 101 DEPARTMENT OF CORRECTIONS SERIOUS RULES VIOLATION REPORT CDC NUMBER INMATE'S NAME VIOLATED RULE NO(S). DATE INSTITUTION LOG NO. T-48872 CCR §3016(a) BURRELL 09/21/06 SVSP S06-09-0027R REFERRAL FOR FELONY PROSECUTION IS LIKELY IN THIS INCIDENT X YES POSTPONEMENT OF DISCIPLINARY HEARING INMATE'S SIGNATURE I DO NOT REQUEST my hearing be postponed pending DATE outcome of referral for prosecution. INMATE'S SIGNATURE I REQUEST my hearing be postponed pending outcome DATE of referral for prosecution. DATE NOTICE OF OUTCOME RECEIVED DISPOSITION INMATE'S SIGNATURE DATE I REVOKE my request for postponement. STAFF ASSISTANT STAFF ASSISTANT INMATE'S SIGNATURE DATE REQUESTED WAIVED BY INMATE DATE NAME OF STAFF ASSIGNED REASON NOT ASSIGNED INVESTIGATIVE EMPLOYEE INVESTIGATIVE EMPLOYEE INMATE'S SIGNATURE DATE REQUESTED WAIVED BY INMATE DATE NAME OF STAFF **ASSIGNED** REASON NOT ASSIGNED EVIDENCE / INFORMATION REQUESTED BY INMATE: WITNESSES WITNESSES REQUESTED AT HEARING (IF NOT PRESENT, EXPLAIN IN FINDINGS) REPORTING EMPLOYEE STAFF ASSISTANT INVESTIGATIVE EMPLOYEE OTHER NONE WITNESSES (GIVE NAME AND TITLE OR CDC NUMBER) WITNESSES (GIVE NAME AND TITLE OR CDC NUMBER) NOT GRANTED NOT GRANTED GRANTED GRANTED INVESTIGATIVE REPORT: Investigative Employees must interview the inmate charged, the reporting employee, and any others who have significant information, documenting the testimony of each person interviewed. Review of files, procedures, and other documents may also be necessary. INVESTIGATOR'S SIGNATURE DATE BY: (STAFF'S SIGNATURE) TIME COPY OF CDC 115-A GIVEN INMATE

CDC 115-A (7/88)

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RULES VIOLATION	REPORT - PART C			07 23	DEPARTMEN P	TOF CORRECTIONS
CDC NUMBER	INMATE'S NAME		LOG NUMBER	INSTITUTION		TODAY'S DATE
T-48872	BURRELL		S06-09-0027R	SVSP		09/21/06
SUPPLEMENTAL	X CONTINUATION OF:	X 115 CIRCUMS	TANCES HEARING	☐ IE REPORT	OTHER	

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Upon completion of the presumptive test, I placed the suspected Marijuana and the wrapping (I.E. Balloons, tape and plastic) in individual zip lock baggies and placed them in Evidence bags securing them into ISU Evidence Locker 51.

a/ T2	S. Henley, Corrections	1 Officer	
FINAL COPY CO J. RUELAS	SIGNATURE OF WRITER	^	DATE SIGNED
12/5/06/436			9.2504
2/ 4	GIVEN BY: (Staff's Signature)	DATE SIGNED	TIME SIGNED
COPY OF CDC 115-C GIVEN TO INMATE	Clockanses	9/29/06	1150

Case 3:08-cv-008		<i>y</i> ,		e 65 of 101	·
STATE OF CALIFORNIA RULES VIOLATION REPORT		r <u>MaCN</u> as	181 D7	231 L DEPARTMEN	NT OF CORRECTIONS
CDC NUMBER INMATE'S NAME		RELEASE/BOARD DATE	INST.	HOUSING NO.	LOG NO.
T-48872 BURRELL VIOLATED RULE NO(S).	SPECIFIC ACTS	MEPD 9/20/2022	SVSP	D7-231L	S06-09-002
_CCR §3016(a)	CONSPIRACY TO A CONTROLLED S	INTRODUCE V	Central Ls. Process	09/21/06	1030 HRS.
This RVR Log #S05-10-0013 is b Disciplinary Officer, deted 09/21	eing ordered Re-Issued				
On October 16, 2005, the Salinas investigation regarding the introctober 20, 2005. On October 16, me and informed me that an approprocessing Center and had signed a this report) ISU then responded to #1. Due to numerous visitors in where I could talk with her priconducting an investigation and the Inmate BURREIL is a participant in REPORTING EMPLOYEE (Typad Name and Signature) S. Henley, Correction REVIEWING SUPERVISOR'S SIGNATURE	oduction of a Controlled 2005, at approximately 10 coved visitor of Immate Bur CCC 1000, Visitors Pass. of the Central Visiting Processing rowately. Upon exiting the mat I needed to speak with a Continued the Mental Health Services al Officer DATE	Substance into S 30 hours, Sergean creil T-48872, B5 (Burrell's visitor cassing Center, wh com, I asked Visit visiting process ner. Visitor #1 On Part C s Delivery System ATE INMATE SEGREGATED PEN ATE	VSP, this involves, 216, had arrive will be referred I made the tor #1 to step ing access. I involves then escondat the COOMS I	estigation was Visiting Sergived at the Cer erred to as Vis initial conta out of the formed Visitor ted to the SVS level of care.	s concluded on geant contacted natural Visition sitor #1 within ct with Visitor visiting area, #1 that I was P
N SERIOUS A	9/28/06/1/2		K . C. • • • •	□ но □ sно	O SC DFC
BY: (STAFF'S SIGNATURE) 506-09-0027R INCIDENT REPORT LOG NUMBER: VP-CEN-05-10-0667	COPIES GIVEN INMATE PATE THE THE PATE THE THE PATE THE PATE THE THE PATE THE THE PATE THE THE THE THE THE THE THE	ME TITLE OF SUPPLE DDA 18 + 150 \$1030' (PENT Reissur DIE DOJ : PRINTEDOLOCK MESO 46 Com	20182 10	159/00/1/50 159/04/20150
Plea: NOT CULLTY.				65	101816 3084. 101816 3084. 10120106
Findings: Inmate BURRELL was found (a Division "A-2" offense. This fir substantiate the charge. The evider Disposition: Inmate BURRELL assess CCR \$3323(c)(8).	nding is based on the prepare presented at the hearing	onderance of evid gincluded: SEE	lence presented DC-115-C.	d at the hearin	ed Substance" ng which does
Additional Disposition: Immate BURE	MIL was counseled, warned a	and reprimended re	garding future	e behavioral e	spectations.
Classification Referral: Refer to I	OC for program evaluation.				
	, em.,				
REFERRED TO CLASSIFICATION BPT/NAEA					
ACTION BY: (TYPED NAME)	1	INATURE 2/			TE TIME
R.E. Barbee Jr., Correct	· ·	// > /	ot ot	70	100
B.F. Rankin, Captain	Motra 11/13/06 >	G. Lewis, C.D.	<i>d I V</i> .		1127106
COPY OF CDC 115 GIVEN INMATE AFTER HEARING	BY: (STAFF'S SIGNATURE)			/2/	15/00 1430
CDC 115 (7/88)	- July 19				

` . Cas	e 3:08-cv-00846-JSW Documer	nt 1 Filed 02/07/2	008 Page 66 of 1	01
STATE OF CALIFORNIA	I REPORT - PART C		07 ZűEÞÁRT	MENT OF CORRECTIONS PAGE 2 OF 4
CDC NUMBER	INMATE'S NAME	LOG NUMBER	INSTITUTION	
T-48872	BURRELL	S06-09-0027R	S.V.S.P.	TODAY'S DATE 10/29/06
SUPPLEMENTAL	CONTINUATION OF: 115 CIRCUMS	TANCES X HEARING	☐ IE REPORT ☐ O	THER
Hearing: 10/29/06.	Time: 1855 hours. Any Po	ostponement Explained:	None.	/
Services Delivery S exhibited any bizar not demonstrate any	mate BURRELL stated his health was fire System at the CCCMS level of care. The behavior that would raise concern a strange, bizarre, or irrational behavior COLEMAN, a mental health assessment	The circumstances of the us about his mental he mavior. Based on this	e RVR do not indicate alth. At the hearing,	that Inmate BURRELL Inmate BURRELL did
Date of Discovery: Hearing started on: D.A. postponed date	10/29/06. Last document issued t	to immate on: 10/20/06.	Initial RVR copy is Time Constraints: M	`
hearing and confirm	on 10/18/06, Correctional Officer L. end he interviewed Immate BURREIL 24 and procedures, disciplinary charge and	hours prior to the he	aring. Officer Garcia	was present at the also confirmed he
Investigative Employ	yee: On 10/06/06, Correctional Officer	C. Reyes was assigned	as the Investigative	Employee.
D.A. Referral: This original adjudication indicating the case	matter was referred to the District on of this Rules Violation Report. had been <u>declined</u> .	Attorney's office for On 05/11/06, notice	possible felony pros was received from the	ecution during the District Attorney
Evidence Requested:	None. External/Outside Evidence:	None. Video Tape Evi	dence: N/A.	
	stement: Inmate BURRELL entered a ple s should have been issued sconer if it		ated, "I understand ti	ne charges, but the
Witnesses Requested:	None. Witness Testimony at Hearing:	None. 34		
Confidential Informa	tion:	*		
2) The defenda of the CIX	nt was informed that the confidential nt acknowledged receipt of the three C 1030's was conducted and determine information would identify the identity	e CDC 1030's related t ned that sufficient in	o the confidential in	formation. Review
	mate BURRELL and his wife (Carla Ree Prison through a visit.	d) had/have conspired	to introduce a Control	led Substance into
(Continued On Part C)			,
•				
N _A	R.E. B.	arbee Jr., Correct	ional Lieutenant	

FINAC COPY 0/0 J. KUELAS 12/5/06/1430	SIGNATURE OF WRITER	-	DATE SIGNED
COPY OF CDC 115-C GIVEN TO INMATE	GIVEN BY: (Staff's Signature)	DATE SIGNED	TIME SIGNED

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STATE OF CALIFORNIA	

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DC NUMBER	INMATE'S NAME	LOG NUMBER	INSTITUTION	TODAY'S DATE
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T-48872	BURRELL		S06-	-09-0027R	S.V.S.P.	•	10/29/06
SUPPLEMENTAL	CONTINUATION OF:	115 CIRCUMST	ANCES	☐X HEARING	☐ IE REPORT	OTHER	₹
(Findings Continued	i)						

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B: The Confidential Memorandums of 09/30/05 and 10/18/05, authored by ISU Officer S. Henley and attested to by the three CDC-1030 Forms show that Inmate BURRELL did conspire with his wife to introduce controlled substances into the institution.

The information provided by Sources #1, #2, and #3 are considered reliable pursuant to CCR \$3321(c)(1) in that the confidential sources have previously provided information which proved to be true.

Conclusion: Inmate BURREIL is found guilty of Conspiring To Introduce A Controlled Substance, a Division "A-2" Offense. Since Inmate BURREIL never came into contact with the drugs that were found to be associated with his visitor, Inmate BURREIL is guilty of conspiring and not carrying through to the completed act to introduce those drugs.

Additional Disposition: Innate BURRELL assessed $\underline{1}$ year loss of visiting beginning on 10/29/06, to be followed by loss of non-contact visiting for $\underline{2}$ years. Credit for Loss of Visiting, which commenced 06/04/06 to 09/02/06, of 90 days.

This appears to be the first offense for Immate BURRELL for a controlled substance charge. Per CCR $\S 3315(f)(4)(A)$, Immate BURRELL will be put on Mandatory Random Drug Testing for 1 year and will be required to submit one random urinalysis test once per month beginning 10/29/06 and ending 10/29/07.

Innate BURRELL assessed 30 days loss of privileges to include the following: No Yard, No Centeen, No telephone, No dayroom, no family visiting, no dayroom, no quarterly packages, and no special purchases.

Inmate BURRELL is required to attend Narcotics Anonymous pursuant to CCR §3315(f)(5)(K)1.

Enemy Concerns: None.

Appeal Rights: Immate BURREIL was advised of his appeal rights per CCR \$3084.1(a). Immate BURREIL was also informed of the CCR Restoration Amendment per A/B 96/4, in that effective April 1, 1996, any RVR resulting in credit loss greater than 90 days (Division Al, A2, B, or C offenses) will not be restored. Immate BURREIL was advised he will receive a completed copy of the RVR upon final audit by the Chief Disciplinary Officer.

	/ -5	R.E. Barbee Jr., Correctional	Lieutenant	
GIVEN BY: (Staff's Signature) DATE SIGNED TIME SIGNED	FINAL COPY C/O J. WELLAS	SIGNATURE OF WRITER		DATESIGNED
		GIVEN BY: (Staff's Signature)	DATE SIGNED	TIME SIGNED

• , C	ase 3:08-cv-00846-JSW	Docume	ent 1 Filed 02/07/	/2008 Page	e 68 of 101	· pr
STATE OF CALIFORNI RULES VIOLATIO	N REPORT - PART C	: 	, !	* (3.5) 7 \$	DEPARTMEN	IT OF CORRECTIONS PAGE 2 OF 2
CDC NUMBER	INMATE'S NAME		LOG NUMBER	INSTITUTION		TODAY'S DATE
T-48872	BURRELL		S06-09-0027R	S.V.S.P.		10/12/06
SUPPLEMENTA	L X CONTINUATION OF:	115 CIRCUMS	TANCES HEARING	X IE REPORT	OTHER	₹
	wee's Statement Continued) estions were provided by Inma	ate Burrell	to be asked of Officer	Henley:		
Q: C/O Henley, threatening t A: I don't recal		irs. Reed's	purse and two letter	rs. Can you s	state if th	ne letters were
•	eipts that were taken, can you wants her receipts back she o					

- Q: Confidential sources, now reliable are the 1030's?
- A: Very reliable.

No further questions were provided for Officer Henley.

INVESTIGATIVE EMPLOYEE'S STATEMENT: On 10/06/06, I was assigned as the Investigative Employee for CDC-115 Log #SO6-09-0027R regarding Innate Burrell, T-48872. Innate Burrell had questions for Officer Henley and had no statement. Innate Burrell had requested Mrs. Carla Reed as a witness via telephone. At the time of the hearing SHO can determine if Mrs. Reed can be contacted. Innate Burrell requested a copy of the D.O.J. Report; he will be issued a copy of the D.O.J. Report prior to his 115 hearing.

Reporting Employee requested at the hearing: No.
Investigative Employee requested at the hearing: No.
Staff / Inmate witnesses requested at the hearing: No.
Additional information in Confidential Reports: No.

C. Reves, Correctional Officer

 $i \int$

FINAL COPY	90 J. Ruficas 12/5/00 1430	SIGNATURE OF WRITER		DATE SIGNED
COPY OF CDO	C 115-C GIVEN TO INMATE	GIVEN BY: (Staff's Signature)	DATE SIGNED	TIME SIGNED

Case 3:08-cv-00846-JSW Document 1 Filed 02/07/2008 Page 69 of 101

STATE OF CALIFORNIA

RULES V	IOLATION	REPORT	- PA	RT	C
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	PAGE 3 OF 4

RULES VIOLATION	REPORT - PART C				PAGE_3_OF_4_
CDC NUMBER	INMATE'S NAME	LOG NUI	MBER	INSTITUTION	TODAY'S DATE
T-48872	BURRELL	S06-	-09-0027R	S.V.S.P.	10/29/06
SUPPLEMENTAL	X CONTINUATION OF:	115 CIRCUMSTANCES	X HEARING	☐ IE REPORT	OTHER
(Confidential Infor	mation Continued)				

Source #2 states Inmate BURREIL has been conspiring with his spouse to introduce a Controlled Substance into SVSP.

Source #3 states Inmate Henderson, D-53455, (Inmate Burrell's ex-cellmate) and Inmate BURRELL are bringing large quantities of Narcotics into Salines Valley State Prison through their scheduled visits.

Findings: Inmate EURRELL is found GUILIY of "Conspiracy To Introduce A Controlled Substance." This finding is based upon the following preponderance of evidence:

A: RVR Log #S06-09-0027R authored by Correctional Officer S. Henley, which states in part, "On October 16, 2005, the Salinas Valley State Prison (SVSP), Investigative Services Unit (ISU) was conducting an investigation regarding the introduction of a Controlled Substance into SVSP, this investigation was concluded on October 20, 2005. On October 16, 2005, at approximately 1030 hours, Sergeant C. Knuckles, Visiting Sergeant contacted me and informed me that an approved visitor of Inmate Burrell T-48372, B5-216, had arrived at the Central Visiting Processing Center and had signed a CDC 1000, Visitors Pass. (Burrell's visitor will be referred to as Visitor #1 within this report) ISU then responded to the Central Visiting Processing Center, where I made the initial contact with Visitor #1." and "Upon exiting the visiting processing area I informed Visitor #1 that I was conducting an investigation and that I needed to speak with her. Visitor #1 was then escorted to the SVSP Administration Building, In Service Training (IST) class room. Visitor #1 was then advised that she was suspected of bringing a controlled substance into SVSP. Visitor #1 was informed that this unit had obtained a search warrant and that the search warrant included her person, her personal belongings and any vehicle she arrived in. Visitor #1 then asked to relinquish her vehicle key, at which time she did." also "During the interview I informed Visitor #1 that I would like to utilize a Narcotic Canine during the search of her vehicle at which time she stated thats "OK." During the canine search of Visitor #1's vehicle, the narcotic canine alerted to the following area's: Front passenger seat. Front Console (Ashtray area) and the second row seat, near the sliding door. During the hand search of the vehicle Officer M. Valdez and Officer A. Diaz. found items in the vehicle consistent with the packaging of narcotics (I.E. Baggies, tape and ballooms and Vaseline) leading us to believe that she was indeed in possession of a controlled substance with the intention to introduce it into the prison." and further states "During the investigation it was discovered that Visitor #2 had arrived at SVSP with Visitor #1 and prior to our arrival to the visiting processing center Visitor #2 was allowed to enter the institution. Visitor #2 arrived with the intention of visiting Immate Henderson, D-58455, B5-132. Upon her arrival to the facility visiting room she utilized the rest room and then was told that she needed to report back to the visiting processing center. Sergeant Knuckles was notified of the above information and instructed her staff to conduct a search of the rest room. During this search a balloon was discovered in the disability stall that contained suspected narcotics.

At approximately 1300 hours, ISU interviewed Visitor #2 regarding the balloon that was found in the rest room of the Facility "B" Visiting. Visitor #2 stated that when the officers called her back to the visiting processing area she got scared and attempted to hide the balloon in the paper toilet seat covers on the wall.

At approximately 1700 hours, Lieutenant R. Martinez and I transported Visitor #1 to an outside nospital where four balloons were recovered from Visitor #1. The balloons were placed into evidence bags and kept in my possession. I then returned to SVSP and placed the following items into evidence:

(Continued On Part C)

R.E. Barbee Jr., Correctional Lieutenant

FINAL COPY (10 J. RURCAS)	SIGNATURE OF WRITER		DATE SIGNED
COPY OF CDC 115-C GIVEN TO INMATE	GIVEN BY: (Staff's Signature)	DATE SIGNED	TIME SIGNED

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-	INMATE'S NAME	VIOLA	TED RULE NO(S).	DATE	INSTITUTION	LOG NO.
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REFERRAL FOR FEL	ONY PROSECUTION IS	LIKELY IN THIS INCIDE	NT YES	NO		
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	hearing be postponed per	nding outcome	INMATE'S SIGNATURE			DATE
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STATE OF CALIFORNIA	REPORT - PART C			DI	EPARTMENT OF CORRECTION PAGE 2 OF 2
	INMATE'S NAME		LOG NUMBER	INSTITUTION	TODAY'S DATE
T-43372	BURRELL		S06-09-0027R	S.V.S.P.	10/12/06
SUPPLEMENTAL	CONTINUATION OF:	115 CIRCUMS	TANCES HEARING	IE REPORT	OTHER
(Reporting Employee	's Statement Continued)				
The following quest	tions were provided by In	mate Arrell	to be asked of Officer	Henley:	
Q: C/O Henley, y threatening to A: I don't recall.	ards her?	Mrs. Reed's	purse and two latte	rs. Can you sta	nte if the letters were
	ots that were taken, can i				,
Q: Confidential so A: Very reliable.	urces, now reliable are	the 1030's?			
No further question	s were provided for Offic	cer Henley.			
statement. Inmate SID can determine be issued a copy of Reporting Employee Investigative Emplo	rding Inmate Burrell, Burrell had requested if Mrs. Reed can be co the D.O.J. Report prior requested at the hearing: yee requested at the hear esses requested at the he	Nrs. Carla Rontacted. In to his 115 h : No. ring: No.	eed as a witness via mate Surrell requeste	telephone. At t	the time of the hearing
	ion in Confidential Repor			第一章	表等·性疾病。
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		C. Reye	es, Correctional O	fficer	
		SIGNATURI	es, Correctional O	fficer	DATE SIGNED

GIVEN BY: (Staff's Signature)

COPY OF CDC 115-C GIVEN TO INMATE

DATE 10/18/06

· ie:ag

STATE OF CALIFOR	RNIA ULES VIOLATIO	N REPOR	RT.			,	DEP	ARTMENT OF CO	RRECTIONS
CDC NUMBER	INMATE'S NAME	711 1121 01		D RULE NO(S).	DATE	INSTITUTION	LOG NO.	
T-48872	BURRELL	1		§3016	. *	09/21/06	SVSP		-0027R
REFERRAL FOR FE	LONY PROSECUTION IS L	IKELY IN THIS I	CIDENT		X YES	NO NO			
					DISCIPLINARY				
	WEST my hearing be postpo		· OILLI		SIGNATURE			DATE	
outcome of refe	rral for prosecution.		<u>'</u>	INMATE	SIGNATURE			DATE	
of referral for pr				► INMATES	SIGNATURE			DATE	
DATE NOTICE OF OUT		DISPOSITION	7	20001	500				
	()(0	1 1 841	- ku		SIGNATURE			DATE	
	request for postponement.								
					ASSISTANT			D175	'
STAFF ASSISTANT REQUESTED	WAIVED BY INMA	TE		INMATES	SIGNATURE	7	. 001	DATE	1/1/
/ REQUESTED	DATE O	NAME OF STAI			MM XX	150,70	Called	1 6411	S/ CACO
ASSIGNED	10-18-06		Ji	<u>.</u>	U .				
NOT ASSIGNED	REASON								
			IMV	ESTIGATI	VE EMPLOYEE				
INVESTIGATIVE EMP	PLOYEE		114.6		SIGNATURE			DATE	
REQUESTED	WAIVED BY INMA	TE		\triangleright (Enone	3,000	ull.	1 9/20	1/0/5
<u> </u>	DATE	NAME OF STAR	F	17 ()	17				
ASSIGNED	10/06/05	C. Reyes	, Corre	ctional	Officer				
NOT ASSIGNED	REASON			•					
EVIDENCE / INFORMATI	ON REQUESTED BY INMATE:								
		 _		WITN	ESSES				
WITNESSES REQUE	STED AT HEARING (IF NOT	PRESENT, EXPLA	N IN FINE		<u> </u>		·		
REPORTING EM	_ `	ASSISTANT		-	SATIVE EMPLOYE	E OTHER_			NONE
WITNESSES (GIVE NA	AME AND TITLE OR CDC NUM		RANTED	NOT GRANTED	WITNESSES (GIV	VE NAME AND TITLE	OR CDC NUMBER)	GRANTED	· NOT GRANTED
INVESTIGATIVE REPO	ORT: Investigative Employed person interviewed. Review	es must interview	the inma	ate charged d other doo	the reporting emporting emports may also	ployee, and any oth	ners who have signific	cant information, o	locumenting
	I was assigned as				١		778. T informer	i Innata PIR	REII of
•	and that as Inves	_	-						
	stated that he had							Ser Marie C. A commission desire different Trade	to do do to to to to
INCOMENTANTE COM	WITEMENTS 0. 10/05/0	Y. Trindraser	i ~	Tomore I	0/10/07/1 4 h		l	Broke land	
	ATEMENT: On 10/06/0 the Reporting Emplo		lewed	iniece !	SUKKELLI AND I	is ard upe us	ke a statement	., out had qu	estions
DECOMPTENT EMBI	OWERS CONTRACTOR		r i-	be conserved one and	d Communication	-1 ()66i ('	771		11 f
statement: "1	OMEE'S STATEMENT: n October 16, 2005	the Toyest	icariv	e Sarvio	res this some	ed a seamh o	resoley and she persont on Carl	or seed an a	rrowrig
visitor of Im	mote Surrell. Durin	g the servi	ces o	f this	warrant 77.7	7 grams of Ma	urijuana were n	recovered fr	on Mrs.
Reed. Mrs. Re	ed acrived at SVSP v	with the inte	ertion	of visi	ting Imate B	urrell."			
(Continued on 1	Part C)								
									.,
					C D	me Personalis - 1	riamat nees-	iris inst	
	/				74 VGA	ers, GOEFFEC	cional Offic	E L	

INVESTIGATOR'S SIGNATURE

OCHULIES

Gase 3:08-cv-00846-JSW Document 1 Filed 02/07/2008 Page 74 of 101 STAFF ASSISTANT ASSIGNMENT STAFF NAME DATE ASSIGNED RVR LOG . S05-10-0013 I/M NAME & CDC # Burell T. 48872 Instructions: Meet with inmate. Check off each item completed as applicable. Return this form to the disciplinary officer or Facility Lieutenant for issuance. Be aware that the disciplinary hearing CAN NOT be held until this document has been completed and returned for issuance to the inmate. The same staff assistant must be present at the disciplinary hearing. CCR 3381(b): The assigned staff assistant shall: (A) Inform the inmate of their rights and of the disciplinary hearing procedures Advise and assist in the inmate's preparation for a disciplinary hearing, represent the inmate's position at the hearing, ensure that the inmate's position is understood, and that the inmate understands the decisions reached. Refrain from giving legal counsel or specifying the position the inmate should take in any disciplinary, classification or criminal proceeding. (2) The inmate shall be informed that: (A) Upon the inmate's request, the staff assistant shall keep confidential any information the inmate may disclose concerning the charges for which the staff assistant was assigned. (B) All evidence and information obtained and considered or developed in the disciplinary process may be used in court if the same charges have been or are to referred for prosecution. If the staff assistant becomes aware that the inmate is contemplating future (3)criminal conduct, the staff assistant shall disclose this information if necessary to protect potential victims and prevent the contemplated crime. Completed on Date:

Staff Assistant Printed Name:
Staff Assistant Signature:

Copy given to inmate on (Date):
Staff member name issuing copy:
Staff member signature:

Copy given to inmate on (Date):

Copy given to inma

STAFF ASSISTANT ASSIGNMENT

		_				
STAFF NA	AME	GAVCI	AIL			
DATE AS RVR LOG		10-19. 506 -	-16	DAT	E DUE A	<u>19</u>
I/M NAM	E & CDC #	Burs		48272		
form to the disciplinary	disciplinary o hearing CAN	fficer or Fac NOT be he	ility Lieutenar Id until this de	nt for issuance ocument has b	d as applicable. Be aware tha een completed ent at the discip	t the and returned
CCR 3381(1): The assig	ned staff as:	sistant shall:			
(A)	Inform the in	mate of their,	rights and of th	e disciplinary he	earing procedure	S
(B)	inmate's posit	tion at the hea	•	at the inmate's	nary hearing, rep position is under	
(C)			ounsel or specify r criminal proce		n the inmate sho	ıld take in any
(2) The inm	ate shall be	<u>informed th</u>	at:			. •
(A)	-				onfidential any in staff assistant wa	
(B)					developed in the en or are to refe	
crimi	nal conduct,	the staff as		disclose this i	contemplating nformation if crime.	
	on Date: ant Printed N ant Signature	\ <u></u>	406 WH C	2		
Staff members	to inmate on er name issui er signature:	•	10-19-0	C ASU	- -	;

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

DISCIPLINARY DRUG TESTING REQUIRMENTS

INM	ATE NAME	INMATE CDC N	UMBER
	BURRELL	· T-	48872
The	above noted inmate was found guilty of violating:		
\boxtimes	CCR §3016(a) Conspiracy to introduce a controlled substance.		
	CCR §3016(b) Possession of paraphernalia for controlled substance	s or controlled me	dication use
	CCR §3016(c) Conspiracy to distribute controlled substances.		aroundin age.
	CCR §3016(d) Possession or control of a controlled medication in	institution.	
	CCR §3290(d) Refusal to test for controlled substance.		
	inmate was assessed a mandatory random drug testing period in accordance ous Rule Violation CDC-115, Log # S06-09-0027R		ction 3315(f)(4), 0/29/06.
	First Offense. One year of mandatory random drug testing. The innone random drug test per month.	nate must provid	e a minimum of
	1 year no Visiting from 10/29/06 to	10/29/07.	Then
	* 90 days c	08/02/09. * redit due to loss of visiting	
	Second Offense. One year of mandatory random drug testing. The i of two random drug tests per month.	2/06, in the original adjudic nmate must pro	
	90 Days no Visiting from to	•	Then
	180 Days Non-Contact Visiting from to	•	
	Third Offense. One year of mandatory random drug testing. The inn four random drug tests per month.	ate must provid	e a minimum of
	180 Days no Visiting from to 180 Days Non-Contact Visiting from to	•	Then_
One	year mandatory random drug testing effective date: 10/29/06	through:	10/29/07
	Barbee Jr., Correctional Lieutenant	DATE	20/06
	ibution: Central File Program UA Log Visiting Sergeant	Inmate	

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R.E. Barbee Jr., Correctional Lieutenant

NAME and NUMBER

BURRELL

T-48872

D7-231L

Senior Hearing Officer

Salinas Valley State Prison

CDC-128-B (Rev. 4/74)

Inmate BURRELL, T-48872, is required to submit to random drug testing **once a month** for a period of **one (1) year** in accordance with CCR 3315(f)(4)(A) for the <u>first offense</u>, and pursuant to a finding of guilt on a drug related offense, Rules Violation Report, Log #S06-09-0027R, and to California Code of Regulations, Title 15, Section 3290(c) subsection (3), and 3290(d). Random drug testing will take effect on 10/29/06 through 10/29/07. Inmate BURRELL was advised of this documentation.

Orig: C-File Cc: CC-II

Facility Captain ISU Lieutenant Facility Lieutenant Housing Unit File

Inmate

DATE:

10/29/06

(MANDATORY DRUG TESTING)

GENERAL CHRONO

	DEPARTMENT OF CORRECTIONS					
Ŷ.						
CDC NUMBER T-48872	TODAY'S DATE 10/29/06					
ONASAP	FOR CONSIDERATION OF A					
<u> </u>	NMENT TO SECURITY HOUSING					
program evaluation.						
.5 hearing concerning Rules act of "Conspiracy To Introduce	Violation Report, Log					
Senior Hearing Officer	S.V.S.P.					
	ASAP ASAP ASE IN CUSTODY ASSIGN ASSIGN ASSIGN Program evaluation. 2, appeared before Corrections 15 hearing concerning Rules act of "Conspiracy To Introduce to I.C.C. for: program evaluat					

NAME and NUMBER

BURRELL

T-48872

D7-231L

R.E. Barbee Jr., Correctional Lieutenant

Senior Hearing Officer Salinas Valley State Prison CDC-128-B (Rev. 4/74)

On 10/29/06, Inmate BURRELL, T-48872, D7-231L, appeared before Correctional Lieutenant R.E. Barbee Jr., Senior Hearing Officer, for a CDC-115 hearing concerning Rules Violation Report Log #S06-09-0027R, charging him with the specific act of "CONSPIRACY TO INTRODUCE A CONTROLLED SUBSTANCE". Inmate BURRELL was found GUILTY. Therefore, pursuant to CCR §3315(f)(5)(I) the following loss of visiting privileges have been assessed:

Inmate BURRELL is being assessed one year loss of visiting beginning 10/29/06 and ending 10/29/07; to be followed by two years of non-contact visiting beginning 10/30/07 and ending *08/02/09.

* 90 days credit due to loss of visiting commenced on 06/04/06 thru 09/02/06, in the original adjudication of RVR.

Orig: C-File

Cc: CC-II

Facility Captain Visiting Sergeant

Inmate

10/29/06 DATE:

(Loss Of Visiting Privileges)

GENERAL CHRONO

NAME and NUMBER

BURRELL

T-48872

D7-231L

CDC-128-B (Rev. 4/74)

On 10/29/06, Inmate BURRELL, T-48872, appeared before Correctional Lieutenant R.E. Barbee Jr., Senior Hearing Officer, for the adjudication of Rules Violation Report Log #S06-09-0027R, for the specific charge of "Conspiracy To Introduce A Controlled Substance." Inmate BURRELL was found guilty and is required to attend Narcotics Anonymous per CCR §3315(f)(5)(K)1.

Orig: C-File

Cc: Correctional Counselor II

Education Dept. N.A. Sponsor

Inmate

R.E. Barbee Jr., Correctional Lieutenant

Senior Hearing Officer Salinas Valley State Prison

DATE:

10/29/06

REQUIRED PARTICIPATION IN NARCOTICS ANONYMOUS

GENERAL CHRONO

NAME and NUMBER

BURRELL

T-48872

D7-231L

CDC-128-B (Rev. 4/74)

On 10/29/06, Inmate BURRELL, T-48872, appeared before Correctional Lieutenant R.E. Barbee Jr., Senior Hearing Officer, for a CDC-115 concerning Rules Violation Report, Log #S06-09-0027R, charging him with the specific act of, "CONSPIRACY TO INTRODUCE A CONTROLLED SUBSTANCE." Inmate BURRELL was found GUILTY.

Inmate BURRELL is being assessed <u>30</u> days loss of privileges to begin on <u>10/29/06</u> and ending <u>11/28/06</u>, loss of privileges to include: No family visits, no canteen, no telephone (*unless verified emergency*), no yard, no dayroom, no special purchases, and no quarterly packages.

Orig: C-File Cc: CC-II

Facility Captain
Housing Unit

Inmate

Canteen Manager

DATE:

10/29/06

(LOSS OF PRIVILEGES)

R.E. Barbee Jr., Correctional Lieutenant

Senior Hearing Officer

Salinas Valley State Prison

GENERAL CHRONO

Document 1

Filed 02/07/2008

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STATE OF CHI IFORNIA DEPARTMENT OF CORRECTIONS CRIME / INCIDENT REPORT PART A - COVER SHEET INCIDENT LOG NUMBER INCIDENT DATE INCIDENT TIME 3 CDC 837-A (Rev. 09/03) PAGE 1 OF SVP-CEN-05-10-0667 10/16/05 10:30 INSTITUTION FACILITY FACILITY LEVEL INCIDENT SITE LOCATION ASU SHU PSU PHU USE OF FORCE SNY X GP CTC RC SVSP CEN VISITING VISITING YES X NO □ III X N SEG. YARD: CC ☐ WA ☐ RM SPECIFIC CRIME / INCIDENT IX CCR ☐ PC ☐ N/A CONSPIRACY TO INTRODUCE A CONTROLLED SUBSTANCE NUMBER/SUBSECTION: 3016 (c) D. A. REFERRAL ELIGIBLE SERT ACTIVATED NMT ACTIVATED MUTUAL AID REQUEST PIO/AA NOTIFIED YES YES NO X NO ☐ YES NO X YES X NO X YES □ NO RELATED INFORMATION (CHECK ALL THAT APPLY) DEATH CAUSE OF DEATH ASSAULT / BATTERY TYPE OF ASSAULT / BATTERY □ INMATE ☐ SPEARING ☐ ACCIDENTAL ☐ SUICIDE ON INMATE ☐ BEATING EXECUTION | NATURAL STAFF ON STAFF GASSING ☐ STABBING [] VISITOR HOMICIDE ON VISITOR POISONING ☐ STRANGLING OTHER: **OVERDOSE** OTHER: ☐ SEXUAL OTHER: UNKNOWN SHOOTING X N/A X N/A X N/A X N/A ☐ SLASHING SERIOUS INJURY INMATE WEAPONS SHOTS FIRED / TYPE WEAPON / FORCE [INMATE TYPE: TYPE: CHEMICAL SUBSTANCE WEAPON: WARNING # EFFECT # NO: STAF BATON ROUND: CLUB / BLUDGEON ☐ COMMERCIAL WEAPON ☐ MINI 14 WOOD USITOR **EXPLOSIVE** ☐ 38 CAL. ☐ 9MM RUBBER OTHER: FIREARM ☐ INMATE MANUFACTURED WEAPON SHOTGUN FOAM HANDS / FEET LAUNCHER: STINGER: N/A KNIFE ☐ 37MM SAP/SLUNG SHOT .32(A) **PROJECTILE** .60 (B) □ L8 ESCA ES ☐ 40MM EXACTIMPACT SPEAR CTS 4557 _____ SLASHING INSTRUMENT 40MM MULTI XM 1006 STABBING INSTRUMENT HFWRS W/F RG CHEMICAL: W/O HORCE FORCE: OTHER: Пос ATTEMPTED ☐ SIDE-HANDLE BATON BODILY FLUID OTHER FLUID: _ CN PHYSICAL FORCE \Box UNKNOWN LIQUID □ cs ☐ X10 N/A **⋉** N/A OTHER: X N/A CONTROLLED SUBSTANCE / WEIGHT **PROGRAM STATUS EXCEPTIONAL ACTIVITY** POSITIVE UA CONTROLLED MEDS MODIFIED PROGRAM **EMPLOYEE JOB ACTION** WEATHER ☐ LOCKDOWN WITH PACKAGING ■ ENVIRONMENTAL HAZARD SEARCH WARRANT STATE OF EMERGENCY **EXPLOSION** PRELIMINARY LAB ARREST FIRE **AMPHIETAMINE** OTHER: IF YES, LIST AFFECTED E) BARBITURATES ☐ GANG/DISRUPTIVE GROUF PROGRAMS: COCAINE ☐ HOSTAGE EXTRACTION: CODEINE ☐ INMATE STRIKE ☐ CONTROLLED HEROIN MAJOR DISTURBANCE APPROX 3oz **MARIJUANA/THC** ☐ IMMEDIATE METHAMPHETAMINE ☐ NATURAL DISASTER MORPHINE PUBLIC DEMONSTRATION OTHER: X N/A ☐ SPECIAL INTEREST I/M X N/A ☐ N/A BRIEF DESCRIPTION OF INCIDENT (ONE OR TWO SENTENCES): On October 16, 2005 at approximately 1030 hours the Salinas Valley State Prison (SVSP), Investigative Service Unit (ISU) executed a search warrant on Mrs. Carla Reed, DOB 8/14/63 for introducing a Controlled Substance into SVSP, During the course of the cavity search of Mrs. Reed approximately 77,77 grams of Marijuana was discovered. Furthermore approximately COMPLETE SYNOPSIS / SUMMARY ON PART A1 NAME OF REPORTING STAFF (PRINT/TYPE) TITLE ID# BADGE # R. L. MARTINEZ LIEUTENANT 33903 SIGNATURE OF REPORTING STAFF PHONE EXT. (INCIDENT SITE) DATE 10/16/05 NAME OF WARDEN AOD (PRINT/SIGN) TITLE DATE CAPTAIN (A) J MOSS

SIGNATURE OF REPORTING STAFF

J. Moss

NAME OF WARDEN / KOD (PRINT/SIGN)

PHONE EXT. (INCIDENT SITE)

Captain (A)

TITLE

DATE

10/16/05

STATE OF CALIFORNIA DEPARTMENT OF CORRECTIONS CRIME / INCIDENT REPORT PART A1 - SUPPLEMENT INCIDENT LOG NUMBER 2 CDC 837-A1 (09/03) OF_ PAGE SVP-CEN-05-10-0667 INSTITUTION **FACILITY** DATE OF INCIDENT TIME OF INCIDENT SVSP CEN 10/16/05 10:30 TYPE OF INFORMATION: X SYNOPSIS/SUMMARY OF INCIDENT SUPPLEMENTAL INFORMATION AMENDED INFORMATION CLOSURE REPORT NARRATIVE: 10.92 GRAMS OF Marijuana was discovered in the Facility B, Visitor Bathroom, which was placed there by Delores Henderson, DOB 11/22/34. Mrs. Henderson was transported to SVSP by Mrs. Reed. On October 16, 2005 SVSP, ISU Officer S. Henley concluded an investigation into the conspiracy of Mrs. Carla Reed and Inmate Burrell, T-48872 into Introducing a Controlled Substance into an Institution. During the course of the investigation Officer Henley had obtained through Confidential Informants that Mrs. Reed would be attempting to introduce a large amount of narcotics into SVSP during the weekend of 10/15/05 & 10/16/05. A search warrant was obtained through the Monterey County Courts and executed on 10/16/05. During the course of interviewing Mrs. Reed it was discovered that she had given a ride to a Mrs. Delores Henderson so that she could visit Inmate Henderson, D-58455, B5-132. The interview with Mrs. Reed was susperided. Mrs. Henderson was ordered to report to the visiting processing area to be interviewed by ISU staff. Upon leaving Facility B, Visiting Room Mrs. Henderson was observed by Officer M. Herrera entering the bathroom. After Mrs. Henderson left the bathroom Officer Herrera searched it and discovered a white bindle wrapped in clear plastic packaging. Officer Herrera discovered the bindle in the seat cover dispenser located in the handicap stall. Mrs. Henderson was interviewed by Officer Henley, Sergeant A. Cariaga and Lieutenant R. L. Martinez, During the course of the interview Mrs. Henderson stated she received the bindle from Mrs. Reed and when she was called back to the visiting processing area she attempted to hide it in the seat cover dispenser in the handicap stall. Mrs. Henderson stated she did not know what was inside of the bindle and the interview was concluded. Officer A. Diaz was notified of the bindle being discovered and reported to Facility B, Visiting, Diaz took control of the bindle and conducted a Department of Justice Presumptive Drug Screening Test which proved positive for Marijuana and weighed approximately 10.92 grams. Officer Diaz took a series of photographs of the bindle and suspected Marijuana and placed it into Evidence Locker 51. Mes. Reed was notified of her Miranda rights and placed under arrest. Mrs. Reed was transported to Natividad Medical Centerto have a body cavity search, which was conducted by Dr. M. Jones. During the cavity search it was discovered. Mrs. Reed. had three bindles secreted in her anus and one bindle secreted in her vagina. After the completion of the removal of the bindles from Mrs. Reed body. Officer Henley took control of the bindles. Henley took a series of photographs and conducted the Department of Justice Presumptive Drug Screening Test which proved positive for Marijuana. The suspected Marijuans weighed approximately 77.77 grams. Officer Henley placed the evidence into Evidence Locker 51. Mrs. Reed and Mrs. Henderson was transported to the Monterey County Jail and released into their custody. Inmate Burrell and Henderson was rehoused in Administrative Segregation pending the completion of the disciplinary process. SUSPECTS: Mrs. Reed, Mrs. Henderson, Inmate Burrell, T-48872, Inmate Henderson, D-58455 VICTIM: N/A ESCORTS: D. Fragoso, A. Lopez, S. Henley, R. L. Martinez USE OF FORCE: N/A CHECK IF NARRATIVE IS CONTINUED ON ADDITIONAL A1 NAME OF REPORTING STAFF (PRINT/TYPE) TITLE ID# BADGE # 33903 R. L. Martinez Lieutenant

CRIME / INCIDENT REPORT			DEPARTMENT OF CORRECTION								
PART A1 - SUPPLEMENT CDC 837-A1 (09/03)		PAGE	3_OF	3	INCIDENT LO	OG NUMBER CEN-05-10-0667					
INSTITUTION SVSP	FACILITY CEN		DATE OF	NCIDENT 10/16/05	TIME OF	F INCIDENT . 10:30					
TYPE OF INFORMATION: SYNOPSIS/SUMMARY OF INCIDENT	SUPPLEMENTAL INFO	RMATION	AMEND	ED INFORMATI	ON Crc	SURE REPORT					
NARRATIVE.											
CRIME SCENE/EVIDENCE: Susper October film locker.	ected Marijuana was plac	ed in evider	ice locker	51 and Photo	evidence wa	s placed in the					
MEDICAL/MENTA'L HEALTH: Burn	ell & Henderson are not i	n the Menta	i Health Pr	ogram at any	level of care						
MEDICAL/MENTAL HEALTH/EVAL (CDC 7219) on Inmate Henderson Burrell.											
CONCLUSION: Inmate Burrell will Regulations 3016 (c), specifically, C 115 for the violation of California Co and Mrs. Henderson will be referred	Conspiracy to Distribute a ode Of Regulations 3016(Controlled (c), Conspire	Substance acy to Distr	. Inmate Her ibute a Contr	nderson will b olled Substar	e issued a CDC					
NOTIFICATIONS: This incident will prosecution. All appropriate Adminidevelopments in this matter via sup-	istrative Staff were notifie										
•											
CHECK IF NARRATIVE IS CONTINUED											
NAME OF REPORTING STAFF (PRINT/TYPE	E) [1	TITLE	ID #			BADGE #					
R. L. Martinez		Lieutena				33903					
SIGNATURE OF REPORTING STAFF	5		PHC	ONE EXT. (INCID	ENT SITE)	10/16/05					
NAME OF WARDEN 1, AOD (PRINT/SIGN)	7		TITL			DATE					
J. Moss	low			Captain	(A)	10/17/05					

STATE OF CALIFOR		ORT									DEPARTME	NT OF	CORRE	ECTION	NS AND RE	EHABILITATIO
PART B1 - IN CDCR 837-B1 (MATE													PAG	iF	OF
INSTITUTION			FACILITY								INCIDENT	LOG	NUMB			
•	SVSP				I	AC	В								10-0667	•
				INMATE (ENTIRE SHEET)												
NAME: LAST		FIRST			MI CDC # SEX			E	ETHNICITY	ERI	#		CII #			
HENDERSON		RAYMO					D-58	455	M		BLK					
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DECEASED	DATE:				N 🗷			⊠ N/	Α							
NAME: LAST		FIRST			MI	CDC			SEX	J		FBL	#		CII #	
BURRELL	01400	ANGEE	DATE BEOD	Τ,			Γ-488		M	_	BLACK	1			11011011	
CHECK ONE	CLASS SCORE	PV RTC	DATE REC'D BY CDC	'	DATE I BY IN			NTICIPA ELEASE		l E	XTRACTIO YES		DOB	8	HOUSIN	G ASSIGN.
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₩ N/A								NAME	LOCAT	ION	OF HOSP.				OCIATEL	N/A
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□ N/A											☐ VALI				CIATED	□ N/A
☐ HOSPITALIZE	D TRE	EATED & RE	LEASED REF	USI	ED TR	EATM	ENT	HAME/L	OCATI	ON	OF HOSP./	TREA	T. FAC	ILITY		
□ DECEASED D	DATE:				□ N/A	A		∏ N/A								

STATE OF CALIFORNIA CRIME / INCIDENT REPO	DRŢ						DEPART	MENT OF	CORRECTIONS	AND REHABILITATIO
CDCR 837-B2 (Rev. 07/05)									PAGE	OF
INSTITUTION		FACILITY					INCIDE	NT LOG	NUMBER	
, SVSP				FAC	CB			SI	/P-CEN-05-1	0-0667
			STAF	F (ENT	RE SHEE	T)				
NAME LAST	FIRST			M	TITLE			SEX	ETHNICITY	RDO'S
Martinez	R.					Lieutenant		M	HIS	S/SH
CHECK ONE	BADGE #		F	POST AS	SIGN. #		POSIT			
☐ PRIMARY ☐ CAMERA	DESCRIPTION	OF INJUE	DIEG.				_	Institu	tional Gang I	nvestigator
☐ WITNESS	DESCRIPTION	OF INJUN	VILO.							
□ VICTIM	IX N/A									
☐ HOSPITALIZED ☐ TR	REATED & RELE	ASED NAM	ME/LOCA	TION OF	HOSP./TI	REAT. FACILIT	Y USE	D FOR	Œ	PROCESSED
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NAME LAST	FIRST			М	TITLE			SEX	ETHNICITY	RDO'S
Cariaga	Α.			R	Co	rrectional Ser	geant	M	HIS	S/SH
CHECK ONE	BADGE #		P	OST AS	SIGN. #		POSI	TION		
PRIMARY CAMERA							TY SQUAD	SERGEANT		
RESPONDER	DESCRIPTION	OF INJUR	IES:							
☐ WITNESS	[EZ]									
VICTIM	X N/A		4F# 004	TION OF	LICOD #F	DEAT FACILITY	V Juor	D 5000		250050050
	EATED & RELEA	SED NAM	ME/LOCA	TION OF	HOSP./TF	REAT. FACILIT		D FORC YES	ĭX NO	PROCESSED EVIDENCE
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☐ DECEASED DATE:	X N/A	X X	N/A				TY	PE:		120 1310
NAME LAST	FIRST			M				SEX	ETHNICITY	RDO'S
Henley	S.			_	Co	rrectional Of	ficer	F	WHITE	S/SH
CHECK ONE	BADGE #		PC	OST ASS		•	POSIT		-:	CC: #10
PRIMAR; CAMERA	DESCRIPTION	OF INJUS	150:		25310			Secu	rity Squad O	rricer #2
RESPONDER WITNESS	DESCRIPTION	OF INJUR	(IES:							
☐ VICTIM	⋉ N/A									
	EATED & RELEA	ASED NAM	/E/LOCA	TION OF	HOSP./TF	REAT. FACILITY	Y USE	D FORC		PROCESSED
REFUSED TREATMENT	LATED & RELLA	13LD						YES	X NO	EVIDENCE
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NAME: LAST	FIRST D.			MI	,	rrectional Off	ñcer	M	HIS	S/SH
Fragoso CHECK ONE		_							1110	5,011
☐ PRIMARY ☐ CAMERA	BADGE #		P	OST AS	SIGN. # 253102	2.	POSIT		Security Squa	d #3
RESPONDER	DESCRIPTION	OF INJUR	IES:						occurry Septem	
☐ vviTNESS										
☐ V:CTIM	X N/A									
☐ HOSPITALIZED ☐TR	EATED & RELEA	ASED NAM	/E/LOCAT	TION OF	HOSP./TR	REAT. FACILITY	Y USE	FORC	E	PROCESSED
REFUSED TREATMENT								YES	X NO	EVIDENCE
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PRIMARY CAMERA					253106	5			ecurity Squa	d #7
RESPONDER	DESCRIPTION	OF INJURI	ES:							i
☐ W!TNESS										
VICTIM	X N/A									
	EATED & RELEA	SED NAM	1E/LOCAT	TON OF	HOSP./TR	REAT. FACILITY		FORCE		PROCESSED EVIDENCE
REFUSED TREATMENT	IVI.⊾	,, lo						YES	X NO	YES X NO

STATE OF CALIFORNIA CRIME / INCIDENT REPO	ORT							DEPART	MENT OF	CORRECTIONS	AND REHABILITATIO
PART B2- STAFF CDCR 837-B2 (Rev. 07/05)										PAGE	OF
INSTITUTION		FACI	LITY					INCIDEN	IT LOG	NUMBER	
, SVSP					FAC.	B			S١	/P-CEN-05-1	0-0667
	-		S	TAFF	(ENTII	RE SHEE	ET)				
NAME: LAST	FIRST				MI	TITLE			SEX	ETHNICITY	RDO'S
Diaz	Α.			_,			orrectional Offi	cer	М	HIS	S/SH
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RESPONDER	DESCRIPTIO	N OF I	NJURIES:			23310		7.55	1151. 1115	Situtional Gai	ilg ilivesitgator
WITNESS											i
VICTIM	X N/A								_		
	REATED & RELI	EASED	NAME/LO	OCATIC	N OF	HOSP./T	REAT. FACILITY) FOR		PROCESSED EVIDENCE
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Parsons	E.				<u></u>		orrectional Offi		М	White	S/SH
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Holcomb	C			,			orrectional Offic		F	WHITE	S/SH
CHECK ONE	BADGE-			POST	ASS	IGN. #		POSITI		ance Building	Officer
PRIMARY CAMERA	DESCRIPTION	V OF IN	JURIFS:				L		Lilia	ance Daname	3 Officer
X WITNESS											!
☐ √ICTIM	□ N/A								_		,
☐ HOSPITALIZED ☐ TR	EATED & RELE	EASED	NAME/LO	CATIO	N OF	HOSP./TF	REAT. FACILITY	1	FORC		PROCESSED EVIDENCE
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Herrera	M			,			rrectional Offic		М	HIS	W/T
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RESPONDER	DESCRIPTION	I OF IN	JURIES:						raciiii	y D VISITIII	g Officer
WITNESS											
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☐ REFUSED TREATMENT ☐ DECEASED DATE:		WA	□ N/A					TYP		I-110	☐ YES ☐ NO
								, , , , ,			

STATE OF CALIFORNIA						DEPARTMEN	NT OF CORRECTIO	NS AND	REHABILITATIO
PART B3- VISI CDCF 837-B3 (Re	TOR, OTHER						PAC	SE	OF
INSTITUTION		FAC	CILITY			INCIDENT	LOG NUMBER		
<u> </u>	SVSP		FACB	TIDE CUEET			SVP-CEN-05	-10-06	67 ————
		- FIDOT	VISITOR, OTHER (EN	TIRE SHEET	_	TUDE	5.15.0.4		T ====================================
NAME: LAST Reed		FIRST Carla			J	YPE	₽F-ID & #	SEX F	BLK
CHECK ONE	CHECK ONE	DESCRI	PTION OF INJURIES:						
☐ VICTIM SUSPECT ☐ WITNESS	VISITOR OTHER:	_ X N/A							
☐ HOSPITALIZED ☐ DECEASED DA			☐ REFUSED TREATMENT N/A	NAME/LOC	ATION	OF HOSP./T	REAT. FACILITY		• • •
NAME: LAST		FIRST			МІ	TYPE O	F ID & #	SEX	ETHNICITY
Henderson		Debre	es		D			F	Blk
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☐ VICTIM ■ SUSPECT □ WITNESS	VISITOR OTHER:	⊠ N/A							
☐ HOSPIT/ILIZED	☐ TREATED & REL	·	7 REFUSED TREATMENT	NAME/LOCA	ATION (OF HOSP./TE	REAT. FACILITY		
DECEASED DAT	_	X	-	▼ N/A					
NAME. LAST		FIRST			МІ	TYPE O	F ID & #	SEX	ETHNICITY
CHECK ONE	CHECK ONE	DESCRIP	TION OF INJURIES:					L	
☐ VICTIM☐ SUSPECT☐ WITNESS	☐ VISITOR ☐ OTHER:	□ N/A							
☐ HOSPITALIZED	TREATED & REL	EASED [REFUSED TREATMENT	NAME/LOCA	ATION (OF HOSP./TE	REAT. FACILITY		
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☐ VICTIM	VISITOR								
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☐ HOSPITALIZED ☐ DECEASED DAT	TREATED & RELE	ASED L	│ REFUSED TREATMENT	NAME/LOCA	TION C	JE HUSP./IR	EAT. FACILITY		
· · · · · · · · · · · · · · · · · · ·		<u>_</u>		<u> </u>					
NAME: LAST		FIRST			МІ	TYPE OF	ID & #	SEX	ETHNICITY
CHECK ONE	CHECK ONE	DESCRIP	TION OF INJURIES:						
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HOSPITALIZED	TREATED & RELE	EASED [NAME/LOCA	TION C	JE HOSP./TR	EAT. FACILITY		
☐ DECEASED DAT	E:		J N∕A						

STATE OF CALIF		TDE	OPT										1	DEPAR	RTMEN	T OF	CORRECTIONS
PART C-S CDC 837-C (TAFFR	EPOI						PAG	SE 1	OF	3		INCIDEN				R 0-0667
NAME: LAST					FIRST						Mi	DATE					F INCIDENT
Henley					s						M		10/16/0		.		0:30
POST #	POS	ITION			YE	EARS OF SER	VICE	DATE OF REPORT LOCATION OF						F INC	ZIDENT	·	
253101			S&I # 2	2		10 _{YR.}	11		Centra	l Vis	iting	Proc	essing				
RDO's · DU	JTY HOUF	RS				/ INCIDENT		CCR SECT						CTION	V / RU	LE	□ N/A
S/S/H	0800-16	30	Consp	iracy to	Introdu	ice a Contro	lled	Substar					3016 (<u> </u>			
YOUR RO	OLE				E S-STA	AFF, V-VISITOF	R, O-0	OTHER)				CE S-S				, W-\	NITNESS)
▼ PRIMARY	′	Lt. R	. Martin	ez						ell T-4				5-21		. .	
RESPON	DER	Sgt.	Carriaga	a 					Hend	derson	D-58	3455	В	5-13	2	 .	
☐ WITNESS	s	Sgt. (Knuckle	s			.		Carla	a Reed	d		V	sitor	of B	urre	<u> </u>
☐ VICTIM		C/O I	M. Vald	ez					Delo	res He	nders	on	V	stor	of He	ende	erson
CAMERA		C/C	A. Diaz														
FORCE USED	BY YOU			WEAPO	ONS USE	ED BY YOU							FIRED		OU		
☐ WEAPON	1		INI-14		. <u>C</u>	CHEM. TYPE:					<u>TYP</u>	<u>E</u> :	<u>NO</u> :				<u>NO</u> :
☐ >HYSICA	'L		MM			oc			37 M	М					9 MN	1	
MONE X			CAL		L				L8			_			38 C	AL	
FORCE OBSI BY YOU	ERVED		HOTGUN		Ĺ] CS] OTHER:			40 MI	М				_	M!NI-	-14	
□ WEAPON			MM	☐ L8					40 M	UI TI							
PHYSICA		=	MM WRS	☐ 40 M		X N/A				rgun				_	X N	/A	
EVIDENCE CO	NU SCITED			IDENCE I		PTION		_	EVIDEN		SPOSIT	10N		_	BIO		PPE
BY YO						suspected	_	LS II Film Evidence Locker (October 2005)						HAZAF	RD_		
X ES				ana. Digi					I.S.U. Ev				, 2000,	į.	YES	- 1	YES
□ NO			N/A					☐ N/A						X	NO	Ĺ	X NO
REPORTING STAFF INJUR			DESCRI	PTION OF	INJUR'	Y			ON TREAT			FLUID EXPOSURE					3301 / 3067 MPLETED
YES												BODIL'		XN	I/A		YES
X 140	ļ							l N/A			1 =	UNKN OTHER				K	NO
NARRATIVE		N/A	/					I IN/A		_		OTHER	<u>`</u>				
On October investigation 1030 hours, an approved CDC 1000, Mrs. Reed. I could talk investigation Service Tra SVSP. Mrs her personal time she did Henderson,	r 16, 200 n regard , Sergea d visitors Due to r with her n and tha ining (IS . Reed v al belong d. Mrs. F an appr staff hav	ing the int C. I hof Inm Pass. humer private at I need a	e introdu Knuckles ate Burn ISU the ous visi ely. Upo eded to ss room ormed t nd any visitor of . Hende	uction of s, Visitin rell T-48 en resportors in the context on exitin speak v. Mrs. hat this vehicle scated the finmate erson rep	a Coning Serg 872, Banded to the visite g the virth her Reed vunit has the large the vertical she arright she arri	had provide erson D-584 ck to the visi	tance ted reserving residence was vised as sea sea sea sea sea sea sea sea sea	e into Some and ed at the siting Property oom, I as then ed that sharch was second to 35-132. process	VSP. Of informed e Centra ocessing sked Mr informe scorted are was strant and strength of the Mr. Sergeasing central c	n Sund d me the I Visiting G Centus. Reed d Mrs. to the suspected that the sked to that the sked to that Knutter. Of	day, Conat Mrng Proper, whe does Reed SVSF ted of the sea or relinded and uckles fficer's	octobes. Can be cessionered to tep out that I have Adm bring arch very arch very arch very didentioners.	er 16, 2 rla Ree ing Cer made t ut of the I was c inistrat a cont varrant ed her tified h informe iaz and	005, ad, Donter a he in e vision E rolled included ar as ar I M.	at ap. O.B. and hoitial of iting a ucting Building Buildi	opro 08/ ad s area ang, l estar her ey, a . De e re	14/1963 signed a act with , where n nce into person, t which lores quested
CHECK IF				ED ON PA	RT C1	T=:::::									,		
SIGNATURE OF	F REPORT	TING ST	AFF			TITLE	_	BA	DGE #	ال) # 				DATE		7/000=
	DIN	<u>(</u>				C/(3						7/2005
NAME AND TIT	LE OF RE	VIEWE	R (PRINT	/ SIGNAT	URE)	DATE RECE	IVED		PROVED				NEED	ED	DATE	=	
				\					YES [INO	YE	s F	l NO				

Distribution: Original Incident Package Copy: Reporting Employee Copy: Reviewing Supervisor

STATE OF CALIFORNIA CRIME / INCIDENT REPORT				DEPA	RTMENT OF CORI	RECTIONS
PART C1- SUPPLEMENT				INCIDENT LO	G NUMBER	
CDC 837-C1 (Rev. 09/03)		PAGE 2 OF	:3		EN-05-10-06	67
NAME: LAST	FIR	RST				MI
Henley	S					M.
TYPE OF INFORMATION:	'					
X CONTINUATION OF REPORT	CLARIFICATION	ON OF REPORT		ADDITIONA	L INFORMAT	ION
NARRATIVE:						
the search of her vehicle at which time she so narcotic canine exhibited a change of behavior of search the canine alerted to the following area's: seat, near the sliding door. During the hand sear vehicle consistent with the packaging of narcotics was indeed in possession of a controlled substant vehicle search Mrs. reed was asked to submit to have to submit to the unclothed body search she	onsistent with t Front passeng rch of the vehic s (I.E Baggies t ace with the into an unclothed b	the presence of the orger seat. Front Consider officer M. Valdez at tape and balloons and ention to introduce it is body search at which	dor of a control ole (Ashtray and Officer A d Vaseline) I into the priso time she sta	trolled substarea) and the control of the control o	ance. During ne second row d items in the o believe that s mpletion of th ne was going t	she e
Sergeant Knuckles informed me that Mrs. Hende escorted to the Administrative Building and was b					eed had been	
I was informed by Sergeant A. Carriaga that during that contained suspected controlled substance.	ng the search o	of the rest room in the	Facility "B"	visiting a ba	lloon was fou	nd
During the investigation it was discovered that Mr the visiting processing center Mrs. Henderson was visiting Inmate Henderson, D-58455, B5-132. Up was told that she needed to report back to the visinformation and instructed her staff to conduct a significant disability scale that contained suspected narcotics.	as allowed to en oon her arrival t siting processin search of the re	nter the institution. M to the facility visiting r g center. Sergeant K	rs. Henders oom she util (nuckles was	on arrived w lized the res s notified of	ith the intention troom and the the above	on of i
At approximately 1300, hours ISU interviewed Mr Facility "B" Visiting. During the interview Mrs. He told her to put it in her bra and take it into visiting. ways. Mrs. Henderson stated that when the office attempted to hide the balloon in the paper toilet see	nderson stated Mrs. Henders ers called her b	that Mrs. Reed gave son stated that she di pack to the visiting pro	her the ball d not want to	oon prior to do this but	their arrival ai she did it ⁱ any	nd
At approximately 1414 hours and second interview right to remain silent and chose not to make a sta		ed with Mrs. Reed, d	uring this int	erview Mrs.	Reed invoked	her
At approximately 1700 hours, Lieutenant R. Martin search was to be conducted. Upon our arrival to Reed that this would be a lot easier if she just reliately were stuck. Doctor M. Jones and Nurse Moj in Mrs. Reeds rectum and vagina. During the proher rectum and one from her vagina. the balloons approximately 1915 hours Mrs. Reed was transpointed County Jail	Natividad Medi nquished the it ica then admin cedure four ba s were placed i	cal Center (NMC) Rems, at which time M istered the cavity sea lloons were recoverento evidence bags ar	egistered Nurs. Reed sta rs. Reed sta rch in order d from Mrs. nd kept in my	urse M. Mojio ited that she to obtain the Reeds caviti y possession	ca informed N couldn't, that e items secret es. Three fro n. At	Ars. ed m
I then returned to SVSP and placed the following Four balloons of suspected Marijuana. These bal secured into ISU Evidence Locker # 51. The digit	loons were ope	ened and photograph).
CHECK IF NARRATIVE IS CONTINUED ON ADDITIONAL	 L C1					
	TITLE	BADGE #	ID #		DATE	
1.12.00	C/O			T 15 15 15 15 15 15 15 15 15 15 15 15 15	02/09/05	5
	DATE RECEIVED	APPROVED	CLARIFICATIO	ON NEEDED	DATE	
		YES NO	YES	□ NO		

Distribution: Original: Incident Package Copy: Reporting Employee Copy: Reviewing Supervisor

STATE OF CALIFORNIA CRIME / INCIDENT REPORT			DEPARTMENT OF CORRECTION									
PART C1- SUPPLEMENT CDC 837-C1 (Rev. 09/03)			PAGE_	1	 _ OF	1	I	OG NUMBER CEN-05-10-00	667			
NAME. LAST		FIRST							MI			
Henley,	_	S.				_			Μ.			
TYPE OF INFORMATION:								i				
CONTINUATION OF REPORT	CLARIFICA	NOITA	OF REF	PORT			ADDITION	AL INFORMA	TION			
NARRATIVE:				,								
The photographs consisted of the following Over with a ruler. Close up view of balloons cut open s removed from the packaging (balloons). Upon co Presumptive Drug Test on the suspected Marijuan	showing green months in the second se	en lea of the p	fy substa hotograp	ance. ohs, l	Over condu	all view o	of suspected epartment o	d Marijuana f Justice				
Upon completion of the presumptive test, I placed in individual zip lock baggies and placed them in E									stic)			
								·				
								;				
									; (
								,				
								1				
CHECK IF NARRATIVE IS CONTINUED ON ADDITIONAL	C1	_					<u> </u>					
SIGNATURE OF REPORTING STAFF	TITLE		BADGE	#	ID	#	·	DATE				
	C/O)	1				-	10/17/0)5 .			
IAME AND TITLE OF REVIEWER (PRINT / SIGNATURE)	DATE RECEI	VED	APPRO	VED	CL	ARIFICATION	ON NEEDED	DATE				
ϵ			☐ YES		0 [YES	□ NO					

CRIME / INC		ITRE	PORT											DEPART	MENT	OF CORRECT (
PART C- ST	PART C- STAFF REPORT CDC 837-C (Rev. 09/03)							PAGE 1 OF 2 INCIDENT LOG NUMBER SVP-CEN-05-10-0667								
NAME: LAST				_	FIRS	ST					МІ	DATE		CIDENT		OF INCIDEN
POST #	POS	SITION				YEARS OF SERV	/ICF	F	DATE O	F RFPC	RT			OF INCIE)FNT	
253107		3111011	S&I # 8	3		4 YR.	5			0/16/05						n's restroo
RDO's DUT	Y HOU	RS	DESCRIP	TION OF	CRIM	IE / INCIDENT							CCR SE	ECTION	/ RULE	. N
S/S/H 0	730-1	600	Consp	iracy to	intro	duce a controlle	ed	substanc	e withir	the in	stituti	on	3016	(c)		
YOUR ROL	.E	WiT	NESSES	(PREFAC	E S-S	TAFF, V-VISITOR	, O	-OTHER)						CT, V-VIC	CTIM, V	V-WITNESS)
▼ PRIMARY		C/O	S. Heni	ey, (S)					Dolo	res He	enders	son, (S	S)			
RESPONDE	ĒR	C/O	M. Herr	era, (S)		 			Carl	a Reed	d, (S)					
WITNESS					.			. 	Hen	dersor	n, D-58	8455	(S)		. .	
								·	Burr	ell, T-4	8872	(S)				
 CAMERA																
FORCE USED BY	Y YOU			WEAPO	ONS L	ISED BY YOU	_							BY YO	U	
□ WEAPON		□м	INI-14			CHEM. TYPE:					TYP	<u>E</u> :	NO	<u>)</u> :		NO:
PHYSICAL			MM			_ oc			37 M	М					MM	
NONE			CAL			☐ CN			L8					3	8 CAL	
FORCE OBSER BY YOU	RVED	_	IOTGUN MM	□ L8		CS			40 M	М				^	/INI-14	
WEAPON		=	MM	☐ 40 M	ULTI	X N/A			40 M	ULTI				[<u>x</u>	N/A	
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₩ NO	X	N/A					X] N/A				UNKN OTHE			X	NO
NARRATIVE:							122	<u> </u>				OTTIE	·· —			
with a vehicle Henderson for visit Inmate He that suspecter possession of Herrera that h suspected cor Herrera proce- far left rest roc shape plastic I approximately Unit (ISU) office	Rearder continued continue	ch registraband son, Traband uspect ducted and after to guidal' secretappea 2) inchexamin	stered to Ms. R -58455. I was fo ed contr a searce er visitor e me to eted ins ared to be es in ler e and co	o Ms. Ca leed is a Subsection of the raband. th of the Dolores the exalide the lipe wrappingth. I ponduct a	irla R in ap quent acilit Upo wom s Her ct loc ower oboto a Dep	ours, while per leed and a fem proved visitor fully during the very 'B' visiting room my arrival to men's rest room aderson had exception he found right corner in a white latex are graphed and separtment of Justine and approximation who was a separtment of Justine and approximation white latex are graphed and separtment of Justine and approximation white latex are graphed approximation.	ehicom Faratte I the	e visitor M Inmate B Icle search I. I then p Icility 'B', and found d the reside suspect e toilet se clear plas ured the e e (DOJ) p	Is. Reedurrell, Th., I was proceed I was in what apt troom. Leted concept paperstic cellocytidencoresumpres	d trans -48872 s notificed to F formed peared trabaner cover ophanee and j otive di	ported 2 and ed by 5 acility 3 by Fi d to be d. The r disp e on the procee- rug sc	d with Ms. H Security 'B' to acility e a will e contended in eeded in eening to acility e a will eded in eening to acility e a will eded in eening to acility entre entr	her id dender ty Sophoto photo 'B' Vis rapped atrabar on the side la to the ing test	entified son is used Officers of the period was a wall. Investig to not the term of the period was a wall.	d as D approficer S and ta officer S bind locate The r assuringative	olores ved to b. Henley ake M. le of ed in the ound ng Service
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STATE OF CALIFORNIA CRIME / INCIDENT REPORT		DEPARTMENT OF CORRECTION
PART C1- SUPPLEMENT CDC 837-C1 (Rev. 09/03)	PAGE 2 OF 2	INCIDENT LOG NUMBER SVP-CEN-05-10-0667
NAME: LAST	FIRST	MI
Diaz' TYPE OF INFORMATION:	A	
	CATION OF REPORT	ADDITIONAL INFORMATION
NARRATIVE:	and a benefit and a second of	
As I began to unwrap the suspected contraband, it was disc layer was a clear cellophane plastic, the second outside lay and the fourth layer was a clear cellophane plastic and disc inside. The green leafy substance weighed approximately	ver was black electrical tape , t covered what appeared to be a	he third layer was white latex rubber green leafy substance (marijuana)
I proceeded to take the following digital photographs of the	suspected contraband as follo	ws:
1. Overall view of complex one, showing the entrance to	Facility 'A' and Facility 'B' visiti	ing room.
Overall view of entrance door to Facility 'B' visiting root	m.	
Overall view of visitor processing on Facility 'B' visiting	room.	
Overall view of women's rest room entrance on Facility	/ 'B' visiting room.	• • • • • • • • • • • • • • • • • • •
5. Mid range view of women's rest room entrance on Fac	ility 'B' visiting room.	· · · · · · · · · · · · · · · · · · ·
6. Mid range view of inside of women's rest room showing	g two sinks and mirrors.	
Overall view of far left rest room stall in women's rest ro	oom with the entrance door op	ened.
8. Mid range view of inside rest room stall showing empty	toilet seat cover paper dispen	iser on the wall.
9. Close up view of empty toilet seat cover paper dispens	er on the wall.	1 3
 Close up view of empty toilet seat cover paper dispens corner. 	er depicting suspected contrat	pand secreted on the right lower
11. Close up view of bindle wrapped in plastic on top of the	toilet seat cover paper disper	iser.
12. Close up view of bindle wrapped in plastic with measur	ing card.	
13. Close up view of opened bindle depicting green leafy s	ubstance wrapped in clear cell	ophane plastic.
14. Close up view of opened bindle with measuring card.		
15. Close up view of opened item depicting green leafy subwhite latex rubber, and more clear cellophane plastic.	ostance wrapped in clear cellop	phane plastic, black electrical tape,
16. Close up view of opened clear cellophane plastic exposi	ing green leafy substance with	measuring card.
secured and processed the controlled substance in ISU evi photographs in the ISU evidence photo locker for October/20		J testing results and the digital
CHECK IF NARRATIVE IS CONTINUED ON ADDITIONAL C1		
IGNATURE OF REPORTING STAFF C/O	BADGE # ID #	DATE 10/16/05
AMP AND TITLE OF REVIEWER (PRINT / SIGNATURE) DATE RECE	APPROVED CLAR	IFICATION NEEDED DATE

TE OF CALIFORNIA

CRIME / INCIDENT REPORT

DEFARTMENT OF CORRECTIONS

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PART C-1 - SUPPLEMENT	Ρ.
CDC 837 C-1	

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RDOS CON ONT	DUTY HOURS	ug viricev	INCIDENT LOCA	10 95 AM		0 16-05
W/TH	Vav V		B Vis			
DESCRIPTION OF INCIDENT					CCR SEC	TION/RULE
Conspiracy to	c introduce Narcot	KS Into	Hn Ins	titution	30	16 (6)
YOUR ROLL	WITNESSES (PREFACE S-S	TAFF, V-VISITOR, O	OTHER	INMATES INVOI	VED (PREFACES-SU	DSPECT, V-VICTIM, W-WITNESS)
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VICTIM	Frankling Statement of Statement and Statement of Stateme					od slovenie , delle Millione inter- allasse directo partie
CAMERA						
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LESS LETHAL	SHOTGUN	BATON				LESS LETHAL
PHYSICAL	HANDGUN	oc	1 / 1			PHYSICAL
NONE	OTHER V	OTHER		<u></u>	10	NONE
EVIDENCE COLLECTED	EVIDENCE DESCRIPTION		DISPOS	ITION	YES	PON BIO HAZARD YES
YES NO	1				NO NO	NO
REPORTING STAFF INJURED	DESCRIPTION OF INJURY	100	ATION TREATED	BODILY FLUID		SCIF3301/3067 COMPLETED
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NO NO			4 / 4	NO NO		NO NO
NARRATIVE:	L L L		77	, 7		- Charles and Char
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Seat Cover	dispensor in 1	he hand	dicap S	tall of 1	he ivena	us /esticon
1 Second	The restreem w	ad Out	led JSV	ifficer P	Diaz and	1 let him Know
What I had	found. When Off	icer Dia	2. 111. Ve	1 I Show	eed him	where
NAME/TITLE/SIGNATURE	OF REPORTING STAFF	Machen		BADGE	1/ID# 7	
REVIEWER'S SIGN, TURE	6 l' é		APPROVED	C	LARUFICATION NEED	ED DATE

DEPARTMENT OF CORRECTIONS STACE OF CALIFORNIA CRIME / INCIDENT REPORT PAGE -PART C-2 - SUPPLEMENT INCIDENT LOG NUMBER CDC 837 C-2 SVP. cen-05-BADGE NUMBER INCIDENT DATE NAME (LAST, FIRST, MI) 2828 erryun 16-03 INFORM: ATION CLARIFICATION REQUEST ADDITIONAL INFORMATION CONTINUATION OF REPORT N.R. ATIVE WOMERS restroom NAME/TITLE/SIGNATURE OF REPORTING STAFF

(10 PV) A LAVIERA MACHELA BADGE / I.D. #/ CLARIFICATION NEEDED APPROVED

CRIME / INCI		TRE	PORT											DE	PART	MENT O	F CORRECTION
PART C- STA CDC 837-C (Re	AFF F	REPOR						PAG	—— iE	OF	:1		INC			NUMBE N-05-	======================================
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253102			S&I #	3		18 _{YR.}	11	MO.		10/16/						roces	sing
RDO's DUTY	HOU	RS	DESCRI	PTION OF	CRIME	/ INCIDENT		mo.					CCF	R SECT	ION /	RULE	. X N/A
S/S/H 08	800-16	5 3 0	Consp	iracy To	Introd	uce Narcotic	s Into	o An Ins	stituti	on			30	16 (C)		
YOUR ROLE	E	WIT	NESSES	(PREFAC	E S-STA	AFF, V-VISITOR	, 0-0	THER)		NMATES	(PRE	FACE	s-sus	PECT,	V-VIC	TIM, W	-WITNESS)
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RESPONDE	R																
☐ WITNESS]								-								
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STAN F INJURED					,,,oon	'		(HOSPIT	AL/C	CLINIC)	+-	7 во] N/A	CC	YES
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SIGNATURE OF RE	PORT	ING ST	AFF			TITLE		BAD	GE #	 	ID#				DA	TE_	_ ·
10 th	<u></u>	>				C/O											16-05
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STATE GE CALIFORNIA CRIME / INCIDEN	NT REPORT		DEPAI	RTMENT OF CORRECTIONS
PART C- STAFF	REPORT	PAGE / OF	INCIDENT LO	
NAME, LAST	FIRST	PAGEOF	The state of the s	U-05-10-066 T TIME OF INCIDENT
$1/1 \cdot 1/2 \cdot 1$	nB		14. 10/16/09	S 1030 HRS
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☐ PRIMARY RESPONDER	HUNLEY, S (S)	CAILCH	SED 17 TOUCH	A75314)
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☐ VICTIM				
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PART C- S CDC 837-C	STAFF	REPO						PAG	E _ 1 _ 0	F1		INCIE		LOG N		R 10-0667
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			ny arrival to the ins									
			the incident. At t			as instructe	d by Sg	ıt. Carri	aga to r	eport	to Fa	cility B
and conduct a se	arch of cells	s 132 and 216	in Facility B, Build	ling 5	o.							
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			ell search, which re									
			the items confisca ned to Inmates Buri						g further	rinves	stigati	on. I
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						YES NO	YE	ES ∟	NO			

Case 3:08-cv-00846-JSW

Document 1 Filed 02/07/2008 Page 99 of 101

DEPARTMENT OF CORRECTIONS

STATE OF CALL ORNIA

MEDICAL REPORT OF INJURY

OR UNUSUAL OCC	JUKKEN	(CE						
NAME OF INSTITUTION	FAC	ILITY/UNIT	REASON FOR REPO	RT (circle) INJU	 {Y /	ON THE TOB INTO	URY DAT	E
	·		USE OF FORC		-9 1	PRE AD/SEG AD		كالصالا
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THIS SECTION FOR STAFF ONLY	NAME	LAST	FIRST	BADGE	#	RANK/CLASS	ASSIGNMENT/	RDOs
THIS SECTION FOR VISITOR ONLY	NAME	LAST /	/ FIRST	MIDDLE	/	DOB	OCCUPATION	
	HOME AD	ORESS /	! CITY	/ STA	TE	ZIP	HOME PHONE	
PLACE OF OCCURRENCE TIME ROTIFIEL (TRME)		DATE/TIME OF OCCUR	1925	OF WEINESS(ES)		LaCVE	RACE	Tan
TIME NOTIFIEL TIME		ESCORTED BY		(circle) LITTER AMBULATORY ON	WHEELC SITE	CHAIR AGE		SEX
BRIEF STATEMENT IN SUB	JEC''S WOI	RDS OF THE CIRCUMS						<u> </u>
	<u> </u>	·.	力。基	kondi.	م الحاضل * بن المها 	ON THE	(1) (1) (1) (1) (1) (1) (1) (1) (1) (1)	
	ES/NO	- 7 1				· · · · · · · · · · · · · · · · · · ·		
Abrasion/Scratch Active Bleeding	2							
Broken Bone	3			()				
Bruise/Discotored Area	4			{~~}		<i></i>	, <i>I</i>	
Burr Dislocation	5		- old) <u> </u>	/	₹,	, ,	
Dried Blood	7		一	The state of the s	*	,) [
Fresh attoo	8	— L /L	JA. 200 240	I = I	1	and the same of th		_
Cut/I aceration/Slash	10	- \ \(\lambda \)		1 / .	- {			AN AN AN AN AN AN AN AN AN AN AN AN AN A
O.C. Spray Area Pain	11		_ 1	ノーングイ	1			-
Protrusion	12	<u> </u>	γ		. (1 1		1
Puncture	13		' <i>1</i>			-4.1	1	
Reddened Are : Skin Piap	14 1:5		- 1	1) < \		- / A/-	Λ	Ç
Swoller, Area	16			///	\	$A \cap A$	{ \	*
Other	17	1	Z Z	(V, \dots)	1 \		× 11	
			\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \			111	V 1	
	18	H 1		' (1 T	加心	21 k	1 A	1
	19	// (m	\mathfrak{d}	$A \cap A$	Z		\uparrow 1	Miles.
O.C. SPRAY EXPOSURE?	YES/NO	عالا <i>ب ا</i> خ	9 /	\		1		
DECONTAMINATED?	YES / AC	i ト ′ ノ	' f	{ <i>(</i>) \		\ \	\mathbb{I}	
Self-decontamination instructions given?	YES / NO		Ţ	(){ }) {	<i>!</i> } (
Refused decontamination?	YES / NO)					ll J	
Q 15 miles checks						[]	// /	٠.
Staff issued exposure packet	? YES/NO) .		1111		7.4	1 6	
RN NC TFIED/TIME	PHYS	ICIAN NOTIFIED/TI	ME	(V)				
TIME/DISPOSITION							-	
			REPORT COMPL	ETED BY/TITLE (PR	NT AND SIGN	0)	BADGE#	RLO:
د مساعلاً الدرايي	1 2 3	.		Cropal Ladi		. Journal		

MEDICAL REPORT OF INJURY

OR UNUSUAL OCC	CURRENCE				
NAME OF INSTITUTION	FACILITY/UNIT	REASON FOR REPORT (circle)	INJURY	ON THE JOB INJ	URY DATE,
S. J.S. P		USE OF FORCE	IJNUSUAL OCCURRENCE	PRE AD/SEG AD	MISSION 10/16/03
THIS SECTION FOR INMATE ONLY	NAME LAST VIE	FIRST	CDC NUMBER	HOUSING LOI	NEW HOUSING LOC
THIS SECTION FOR STAFF ONLY	NAME LAST	FIRST	BADGE#	RANK/CLASS	ASSIGNMENT/RDO:
THIS SECTION FOR VISIT OR ONLY	NAME LAST	FIRST	MIDDLE /	DOB	OCCUPATION
	HOME ADDRESS	/ CITY	STATE /	ZIP	HOME PHONE
PLACE OF OCCURRENCE	DATE/LIME OF OCCUR		SS(ES)		
TIME : OTIFIED TIME		MODE OF ARRIVAL (circle) AMBULATO	. DITTELL	CHAIR AGE	RACE SEA
	JECT'S WORDS OF THE CIRCUMS	STANCES OF THE INJURY OR UNUSUA	· <u>·</u>		
,	la La Seri	no statemen			
INJURIES FOUNDE Y	FS/No				-
Acti sleeding	2				
Broken Bone Bruis Discource Area	3 4		\ = = \	,	
Вип	5 /			. 📢)
Dislaction Dried Blood	-+-			Te .	
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O.C Spray A. va	9 10	. 7	/	S OFT TO THE	
Pain			J/-{	1 .	
Protrusion	12		/) (1 1	
Puncture Reducted Assa	13	/ /	/ / /	I = I	/ 1
Skin Hap	15		/ 11	/ /	$A \cap A \cap A$
Swot in Area Other	16	-	111	-1/I	
Ome.	17	\sim \sim \sim \sim	$M = M \times M$		
	18	And V	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	611×	Y . 1 1 1
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	19 57		1 /	u l	
O.C. SERAY EXPOSURE?	YES / NO-	// \ \ \\	λ /	ĺ	1 /
DECONTAMINATED?	YES/NO		<i>(</i>) {	/	1 /
Self-decontamination instructions given?	YES / NO		}()	} {	7 (
Refused decommination?	YES / NO	<u> </u>	$I \setminus I$	()	
Q 15 m.s. check		Ì		\ /	\
Staff is, sed exposure sacket		·)	M ()	A () h
RNTETIFIEDTIME	PHYSICIAN NOTIFIED/T	IME .	/ /)		\mathcal{D}
TIMEOISPOSITION	<u>L</u>	DEPORT COMPLETED 134	TITLE (DD BIT AND SIC		BADCE # (210)
-3		REPORT COMPLETED HY) · ((14)	BADGE# IRUOs
1	- 43×			6	177

PROOF OF SERVICE BY MAIL

I, Argee Brall, DECLARE:

I AM OVER THE AGE OF 18, NOT A PARTY TO THIS ACTION, AND RESIDE / AM EMPLOYED AT IN WONTEREY COUNTY. , I DEPOSITED IN THE UNITED STATES MAIL AT A COPY OF THE ATTACHED WADOAS IN A SEALED ENVELOPE, WITH POSTAGE FULLY PRE PAID, ADDRESSED TO: CLERK I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING IS TRUE AND CORRECT. \$ 2/3/08

MGER BURRELL
PRINTINAME OF DECLARANT

(1)

